

# Journal

OF THE

## ASSEMBLY OF THE STATE OF NEVADA

---

SEVENTY-SIXTH SESSION

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**THE FIRST DAY**

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CARSON CITY (Monday), February 7, 2011

Pursuant to the provisions of the Constitution and Statutes, the Assembly was called to order by Secretary of State Ross Miller at 11:02 a.m.

Prayer by the Chaplain, Bishop Joseph A. Pepe, Diocese of Las Vegas, Roman Catholic Church, Las Vegas, Nevada and Bishop Randolph R. Calvo, Diocese of Reno, Roman Catholic Church Reno, Nevada.

O Almighty God and Father,

This day we come before You, thankful for the call of service to the people of Nevada, grateful to be servant leaders.

Make us generous in response, sensitive in their needs, and open to their call for wise counsel, prudent discernment, and willing collaboration.

In the days and months ahead in the legislature may we, through Your gracious wisdom, work to address the challenges of the state with equanimity and diplomatic solutions.

In Your merciful care, may we appreciate the dignity of each person, the preciousness of each man and woman in Your image, that we may offer through our work and persistent labor a life of justice, equity, and peaceful coexistence and bring forth a true family of man in our state.

In all we do, may we protect life at every moment, liberty, and the pursuit of true happiness as a goal and aim.

This day we come before You as servant leaders of Your call and promise.

May Your gracious blessings be upon us—of inner peace, accomplishment, and satisfaction.

We ask this all in Your name.

Amen.

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*, *America the Beautiful*, and *Home Means Nevada* by the University of Nevada, Reno's Chamber Chorale, conducted by Dr. Lisa Wolff.

Mr. Secretary of State requested Ms. Susan Furlong to serve as temporary Chief Clerk of the Assembly.

Mr. Secretary of State requested the temporary Chief Clerk call the roll of the 42 Assemblymen-elect.

Roll called.

Present: Assemblymen Aizley, Anderson, Atkinson, Benitez-Thompson, Bobzien, Brooks, Bustamante Adams, Carlton, Carrillo, Conklin, Daly, Diaz, Dondero Loop, Ellison, Flores, Frierson, Goedhart, Goicoechea, Grady, Hambrick, Hammond, Hansen, Hardy, Hickey, Horne, Kirkpatrick, Kirner, Kite, Livermore, Mastroluca, McArthur, Munford, Neal, Ocegüera, Ohrenschall, Pierce, Segerblom, Sherwood, Smith, Stewart, Woodbury.

Excused: Assemblyman Hogan.

Mr. Secretary of State appointed Assemblymen Segerblom, Flores, Conklin, Daly, Horne, Kirkpatrick, Ocegüera, Ohrenschall, Smith, Goicoechea, Grady, Hardy, Hickey, McArthur, and Stewart as a temporary Committee on Legislative Operations and Elections.

Mr. Secretary of State announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 11:18 a.m.

#### ASSEMBLY IN SESSION

At 11:25 a.m.

Mr. Secretary of State presiding.

Quorum present.

#### REPORTS OF COMMITTEES

*Mr. Secretary of State:*

Your temporary Committee on Legislative Operations and Elections has had the credentials of the respective Assemblymen-elect under consideration, and begs leave to report that the following persons have been and are duly elected and qualified members of the Assembly of the 76th Session of the Legislature of the State of Nevada: Assemblymen Aizley, Anderson, Atkinson, Benitez-Thompson, Bobzien, Brooks, Bustamante Adams, Carlton, Carrillo, Conklin, Daly, Diaz, Dondero Loop, Ellison, Flores, Frierson, Goedhart, Goicoechea, Grady, Hambrick, Hammond, Hansen, Hardy, Hickey, Hogan, Horne, Kirkpatrick, Kirner, Kite, Livermore,

Mastroluca, McArthur, Munford, Neal, Ocegüera, Ohrenschall, Pierce, Segerblom, Sherwood, Smith, Stewart, and Woodbury.

TICK SEGERBLOM, *Chair*

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Segerblom moved the adoption of the report.  
Motion carried.

Mr. Secretary of State appointed as a committee Assemblymen Horne and McArthur to escort Chief Justice Michael L. Douglas of the Supreme Court of the State of Nevada to the rostrum to administer the oaths of office to the Assemblymen.

Mr. Secretary of State announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 11:27 a.m.

ASSEMBLY IN SESSION

At 11:29 a.m.

Mr. Secretary of State presiding.

Quorum present.

Chief Justice Douglas administered the oaths of office to the Assemblymen.

Mr. Secretary of State requested the temporary Chief Clerk call the roll of those Assemblymen for whom Certificates of Election had been issued.

Roll called.

Present: Assemblymen Aizley, Anderson, Atkinson, Benitez-Thompson, Bobzien, Brooks, Bustamante Adams, Carlton, Carrillo, Conklin, Daly, Diaz, Dondero Loop, Ellison, Flores, Frierson, Goedhart, Goicoechea, Grady, Hambrick, Hammond, Hansen, Hardy, Hickey, Horne, Kirkpatrick, Kirner, Kite, Livermore, Mastroluca, McArthur, Munford, Neal, Ocegüera, Ohrenschall, Pierce, Segerblom, Sherwood, Smith, Stewart, Woodbury.

Excused: Assemblyman Hogan.

Assemblyman Ohrenschall moved that Chief Justice Douglas be given a unanimous vote of thanks for administering the oath.

Motion carried unanimously.

The appointed committee escorted the Chief Justice of the Supreme Court to the bar of the Assembly.

Mr. Secretary of State announced that there would be no temporary organization of the Assembly, and that all nominations were in order for permanent appointment.

Mr. Secretary of State declared that nominations were in order for Speaker.

Assemblyman Conklin nominated Assemblyman John Ocegüera for Speaker.

Assemblyman Goicoechea seconded the nomination.

Assemblywoman Smith moved that nominations be closed.

Motion carried.

Mr. Secretary of State declared Assemblyman John Ocegüera to be Speaker of the Assembly.

Mr. Secretary of State appointed Assemblywoman Smith and Assemblyman Conklin as a committee to escort the Speaker to the rostrum.

Mr. Speaker presiding.

Assemblywoman Pierce moved that Secretary of State Miller be given a unanimous vote of thanks for his services to the Assembly.

Assemblywoman Carlton seconded the motion.

Motion carried unanimously.

Mr. Speaker appointed Assemblyman Bobzien and Assemblyman Aizley as a committee to escort the Secretary of State to the Bar of the Assembly.

The appointed committee escorted Secretary of State Miller to the bar of the Assembly.

Remarks by Assemblymen Conklin, Goicoechea, Stewart, and Mr. Speaker.

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

ASSEMBLYMAN CONKLIN:

Thank you, Mr. Speaker, and congratulations to you. I have been here eight years now, and over that time we have worked together very well. You have been a teacher, a mentor, and a friend. You have worked hard, you have been true to your word, and you have served admirably in the roles of Assemblyman, Chairman, and Majority Leader. Your leadership will enhance this body, and I am honored to call you Speaker.

Speaker pro Tempore Elect Smith, Minority Leader Goicoechea, colleagues, and honored guests, thank you. I am grateful and honored to be your Floor Leader.

As I look around, I marvel at how this Legislature and this process have changed since I first came here. Those were the days of economic boom when our problems seemed much simpler. Each session, there were a handful of new Assemblymen and women to learn from veteran legislators with decades of experience. And now the 2011 Session has arrived. We face unprecedented challenges with almost half of this body new to the process.

But where there is adversity, there is also opportunity—opportunity for new beginnings, new growth, and a future for our state that is more stable and secure.

If we can focus a little less on our individual ideologies, and a little more on our shared realities, I believe we can find solutions to our challenges.

As we work to solve Nevada's immediate economic crisis, we should also have ambitious goals for our future.

First, we need jobs. Not only must we get people back to work now, we must also look at a new economy for Nevada and its future. We must find opportunities for new job growth, and we must foster growth within our existing businesses. Secondly, we must make a commitment to educate our children. We must work together for an education system we can be proud of—one that is strong, vibrant, and successful at all levels—kindergarten through 12th grade and within our university system, as well. Without a well-educated workforce and a solid school system, we will not be able to attract or retain the businesses needed for our economy to grow and diversify. Without such a system, our economic future will never be certain. Finally, we must make government more efficient, transparent, and accountable. While we may differ on what is essential or what the level of services should be, I think we can all agree that government must get the most from every dollar spent. We must continue to find ways to cut costs and to ensure that every state expenditure is producing real results for the people of Nevada.

In conclusion, Mr. Speaker, I have confidence in our ability to work together “across the aisle” to build Nevada's future. Abraham Lincoln once said, “Nearly all men can stand adversity, but if you want to test a man's character, give him power.” Ladies and gentlemen, colleagues, we have been given the power by our constituents and the *Constitution*. We must use it now responsibly and do what is right for the great state of Nevada.

ASSEMBLYMAN GOICOECHEA:

Thank you, Mr. Speaker, and welcome aboard from our caucus and everyone in this building. Those of us that have been here before can reflect on the leadership John has shown in the past, and we look forward to it in the future.

I would like to take this opportunity to welcome you, whether you are returning or whether you are new. It is an honorable place to be. Term limits have definitely robbed us of institutional knowledge and some of our senior leadership. I, like Majority Leader Conklin, am starting my fifth term here, and so, technically, we are short-timers. I know half of this body, or nearly half of this body, is new. I do believe, whether we are new or a short-timer, that it is going to be required that we work closer than we ever have in the past. Before, there were a lot of old scars that had to be healed. “This guy got my bill in the 2009 Session, so I am going to beat him up for the 2011 Session.” So in reality, I think we will become a lot closer-knit group than we have been in the past.

I know we are facing some difficult decisions. Some of that will be perceived as partisan as we move forward. I know that in reality, we will be representing what our constituents demand of us. In some cases, we are going to be looking forward to doing more with less. We need to provide reform if we are going to have any long-term prosperity for this state.

I know we are all committed to working for Nevada, and these are very trying times that we are facing. But, again, I want to welcome you to the opportunity. Let's get started working for Nevada. Thank you.

ASSEMBLYMAN STEWART:

Thank you, Mr. Speaker. I rise in honor of the man from Topeka, Illinois who was born 100 years ago, yesterday. This man was a lifeguard. He was a sportscaster. He was a movie star. He was a television host. He was the Governor of California. He was the 40th President of the United States. Ronald Reagan left us a great legacy. He helped to bring down the Berlin Wall. He helped to defeat communism and break up the Soviet Union. He is remembered for being a very optimistic man, for bringing hope and bringing a new spirit to America. He has left a great legacy. But I think one of the greatest legacies that he left was his relationship with people. He was a man of civility and congeniality. President Reagan, a conservative Republican, and Irishman, had a great relationship with the Speaker of the House, Thomas O'Neil, who was a

liberal Democrat from Massachusetts, but also an Irishman. During the time that they served together, they had a great relationship of civility and congeniality. It became “Tip” O’Neil and “Dutch” Reagan. I hope that of the many things we learned from President Reagan, that we learned most of all about the civility and the congeniality that he brought to government and that we all can work together like Dutch and Tip did. Mr. Speaker, we appreciate the congeniality that you have shown to us as Republicans and the Governor and that you will work closely together as Dutch and Tip did. Thank you very much, Mr. Speaker.

MR. SPEAKER:

Thank you, Mr. Stewart. If the body will allow me, I will take a point of personal privilege and give a few remarks as well.

Speaker Pro Tempore Elect Smith, Majority Leader Conklin, Minority Leader Goicoechea, members of the Nevada Assembly, legislative staff, and honored guests, thank you. To the friends and family who share this day with us, thank you. Thank you for the support you have given us on the journey here and for the support we will need from you in the months to come.

This is both a formal ceremony and a day to rejoice. On one hand, it is a very serious responsibility to be sworn in as a member of this Assembly. On the other hand, there is reason for rejoicing. We have each reached a goal that we have worked so hard to achieve. We have family and friends here to share in the joy of today.

I know I could not have done it without the help and understanding of my wife, Janie. She is here today with our son, Jackson. We have not heard from him because he is sleeping, which is good, in this case. Jackson and I are very fortunate to have her in our lives. Her joy for living, her enthusiasm, and her support keep me going. I would not be—could not be—standing here today if not for her.

Janie is one of three women here today who deserve my personal recognition and gratitude. The others are my mother, Eileen, and my grandmother, Margaret.

As is the case with many Nevadans today, I grew up in a family facing many financial challenges. I live in Las Vegas, but I was born in Reno and was raised in Fallon. My mom was only 16 years old when I was born, and she soon became a single mother. We lived through tough conditions where basic necessities were never taken for granted. My mother worked, saved, and scrambled to get a college degree. And for 32 years, she has become a very beloved and respected teacher in my hometown of Fallon. She was my inspiration to do well in school, to go on to college, to work my way up in the fire department, to choose public service, and to run for office. My mother gave me the strong belief that you can work with others to make things better.

I want to simply say, for all you have done, and with all my heart, thanks, Mom.

Growing up, I had another family role model. My grandmother is a native Nevadan, born in Schurz, and a Native American, still living in Schurz on the Indian reservation. My grandmother Margaret has 10 children, 23 grandchildren, 26 great-grandchildren, and 2 great-great-grandchildren on the way. To my grandmother, I owe my love of this state, its land, its people, and my respect for its hard-won history.

Each of these three women shaped my character in different ways. I’m grateful to have them in my life.

And to my colleagues: thank you for the honor you’ve bestowed and the trust you’ve shown in electing me your Speaker. Over the next 120 days, I’ll work hard to deserve this honor and justify the trust of each and every one of you.

We have 20 new members in this house today. One of them comes to us from the Senate, and one returns to the Assembly after an absence of about a dozen years. But still they are new to this house, in this session.

There are 20 new Assemblymen and women, which is nearly one-half of our membership. Would you all please stand? To all of you—to each and every one of you—congratulations. And welcome. To each and every one of our returning members who are returning to do the people’s work, welcome back.

The Assembly truly is the people's chamber. The diversity of this body reflects that of our state: urban and rural, northern and southern, men and women from all walks of life, and many ethnic backgrounds. This, ladies and gentlemen, is what Nevada looks like.

Whether newly elected or returning, we should all enjoy this day, a proud moment after the rough and tumble of the campaign. One quick breath before submerging ourselves in long days filled with difficult decisions. Make no mistake, in this session there will be difficult decisions, and we will be criticized for many of them. Our work will become fodder for a future campaign mailer, a pundit's column, or an angry editorial. But it's better to be criticized for doing our job than criticized for failure to act. None of us can afford to be timid. We will disagree, but let each member of the Assembly vote for what we know is right, not just expedient.

It's always been true that when it comes time to make a decision to record a vote for yes or no, every vote counts exactly the same. Now more than ever, every voice in this chamber is needed, encouraged, and essential. But those voices should be courteous. Even as the face of this chamber changes very rapidly, it is important to preserve the traditions that have served us well for almost 150 years—the traditions of civility and respect. We can disagree, but we can do so as friends and colleagues. No matter what our differences of party or position, we can respect one another and work together as the people elected us to do.

The Great Recession may officially be over for the nation, but we still have critically high levels of unemployment and foreclosures. Our infrastructure no longer meets the needs of a modern Nevada. The need for social services is high while our resources are thin. We have the largest percentage of budget deficit in the nation. In addition, Nevada is highly dependent—overly dependent—on discretionary spending from out-of-state visitors. Only when the national economy improves will Nevada's economy truly rebound. But that does not mean we should simply wait, tied to the same old ways and short-term solutions.

Certainly there are positive signs, both nationally and here at home. But Nevada has a long way to go before we're healthy again, and unless we prepare for the future now by improving education, diversifying our business base, and reforming our tax structure, we will have learned nothing from this experience.

We welcome a new governor this session. Two weeks ago, the Governor presented his Executive Budget in these very chambers. Now it is the job of this Legislature to determine if the sacrifices placed in the scales to balance the budget can be sustained or if they are too much to ask of Nevada's citizens who have already lost so much in this recession. I respect the Governor's work in crafting the budget. I believe he will respect ours in reviewing it.

President Kennedy once said, "Any system of government will work well . . . when everything is going well . . . It's the system that functions in the pinches that survives."

Ladies and gentleman of the Assembly, we are in the pinches. How we govern now will determine how we survive this economic crisis, how well we recover, and how we rebound. We have a big decision to make. Do we just patch things up for another two years? Or will we take this opportunity to be bold—to make the fundamental changes needed to move our state forward by rebuilding and investing in Nevada?

I believe we must reform government; we must find lasting solutions, not patches. We must prepare our state to meet the future, ready for work, ready for business, and ready to lead.

In 120 days, we'll know the answers to these questions. Our challenge is to balance the budget, as we must. But these are not just numbers. Our duty is to serve real people with real problems. We must act with compassion and empathy for the people we are here to serve.

In 120 days, history will judge us not on how stubbornly we clung to old ways, not on how loudly we shouted for change, but on what we did.

Thank you, and thank you for your service to the great state of Nevada. May God bless you all.

Mr. Speaker declared that nominations were in order for Speaker pro Tempore.

Assemblywoman Mastroluca nominated Assemblywoman Smith for Speaker pro Tempore.

Assemblywoman Dondero Loop moved that nominations be closed.

Motion carried unanimously.

Mr. Speaker declared Assemblywoman Smith to be Speaker pro Tempore of the Assembly.

Mr. Speaker declared that nominations were in order for Chief Clerk.

Assemblyman Munford nominated Ms. Susan Furlong for Chief Clerk.

Assemblyman Stewart moved that nominations be closed.

Motion carried unanimously.

Mr. Speaker declared Ms. Susan Furlong to be Chief Clerk of the Assembly.

Mr. Speaker appointed Assemblymen Kirkpatrick, Atkinson, and Grady as a committee to inform the Senate that the Assembly was organized and ready for business.

Mr. Speaker appointed Assemblymen Conklin, Smith, and Goicoechea as a committee to inform the Governor that the Assembly was organized and ready for business.

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

Assembly in recess at 12:21 p.m.

#### ASSEMBLY IN SESSION

At 12:31 p.m.

Mr. Speaker presiding.

Quorum present.

Assemblywoman Kirkpatrick reported that her committee had informed the Senate that the Assembly was organized and ready for business.

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

Assembly in recess at 12:31 p.m.

#### ASSEMBLY IN SESSION

At 12:36 p.m.

Mr. Speaker presiding.

Quorum present.



A committee from the Senate composed of Senators Parks, Kihuen, and Settelmeyer appeared before the bar of the Assembly and announced that the Senate was organized and ready for business.

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

Assembly in recess at 12:37 p.m.

#### ASSEMBLY IN SESSION

At 12:40 p.m.

Mr. Speaker presiding.

Quorum present.

Assemblyman Conklin reported that his committee had informed the Governor that the Assembly was organized and ready for business.

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

Assembly in recess at 12:41 p.m.

#### ASSEMBLY IN SESSION

At 1:22 p.m.

Mr. Speaker presiding.

Quorum present.

#### MOTIONS, RESOLUTIONS, AND NOTICES

Mr. 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—

Atkinson, Conklin, Bustamante Adams, Carlton, Daly, Horne, Kirkpatrick, Ocegüera, Ohrenschall, Segerblom, Ellison, Goedhart, Grady, Hardy, Hickey, Kite.

##### EDUCATION—

Bobzien, Dondero Loop, Aizley, Anderson, Diaz, Flores, Mastroluca, Munford, Neal, Hansen, Kirner, McArthur, Stewart, Woodbury.

##### GOVERNMENT AFFAIRS—

Kirkpatrick, Bustamante Adams, Anderson, Benitez-Thompson, Flores, Munford, Neal, Pierce, Ellison, Goedhart, Livermore, Stewart, Woodbury.

##### HEALTH AND HUMAN SERVICES—

Mastroluca, Pierce, Anderson, Benitez-Thompson, Brooks, Carrillo, Flores, Frierson, Smith, Goicoechea, Hambrick, Hammond, Livermore, Sherwood.

##### JUDICIARY—

Horne, Ohrenschall, Brooks, Carrillo, Daly, Diaz, Dondero Loop, Frierson, Segerblom, Hammond, Hansen, Kite, McArthur, Sherwood.

## LEGISLATIVE OPERATIONS AND ELECTIONS—

Segerblom, Flores, Conklin, Daly, Horne, Kirkpatrick, Oceguela, Ohrenschall, Smith, Goicoechea, Grady, Hardy, Hickey, McArthur, Stewart.

## NATURAL RESOURCES, AGRICULTURE, AND MINING—

Carlton, Hogan, Aizley, Anderson, Bobzien, Bustamante Adams, Munford, Pierce, Ellison, Goedhart, Hansen, Kite, Livermore.

## TAXATION—

Kirkpatrick, Munford, Anderson, Benitez-Thompson, Bustamante Adams, Flores, Neal, Pierce, Ellison, Goedhart, Livermore, Stewart, Woodbury.

## TRANSPORTATION—

Dondero Loop, Frierson, Brooks, Atkinson, Benitez-Thompson, Carrillo, Diaz, Hogan, Neal, Hambrick, Hammond, Kirner, Sherwood, Woodbury.

## WAYS AND MEANS—

Smith, Conklin, Aizley, Atkinson, Bobzien, Carlton, Hogan, Mastroluca, Oceguela, Goicoechea, Grady, Hambrick, Hardy, Hickey, Kirner.

## SELECT COMMITTEE ON ETHICS—

Conklin, Segerblom, Kite, Barbara E. Buckley, Kimberly Morgan, Patty Cafferata; Alternates: Kirkpatrick, Joseph E. Dini, Hambrick, John Milton.

## MAJORITY FLOOR LEADER—

Marcus Conklin.

## ASSISTANT MAJORITY FLOOR LEADER—

Marilyn Kirkpatrick.

## MAJORITY WHIP—

William Horne.

## SENIOR CHIEF DEPUTY WHIP—

Kelvin Atkinson.

## CHIEF DEPUTY WHIP—

Peggy Pierce.

## CHIEF DEPUTY WHIP—

David Bobzien.

## MINORITY FLOOR LEADER—

Pete Goicoechea.

## ASSISTANT MINORITY FLOOR LEADER—

Lynn D. Stewart.

## MINORITY WHIP—

Tom Grady.

## MINORITY WHIP—

Mark Sherwood.

## COMMUNICATIONS

## MESSAGES FROM THE GOVERNOR

## OFFICE OF THE GOVERNOR

CARSON CITY, NEVADA, February 3, 2011

THE HONORABLE STEVEN HORSFORD, THE HONORABLE JOHN OCEGUERA, NEVADA LEGISLATURE, 401 S. CARSON STREET, CARSON CITY, NEVADA 89701

DEAR SENATOR HORSFORD AND SPEAKER OCEGUERA:

Enclosed please find my message to the 76<sup>th</sup> Session of the Nevada Legislature, delivered pursuant to Article 5, Section 10 of the Nevada Constitution. As you know, I delivered the message on Monday, January 24, 2011, to a special committee of the Legislature and other guests in the Assembly Chamber in Carson City. Thank you in advance for lodging my message

in the record of the 76th Legislative Session. My staff and I look forward to working with all of you in the months ahead.

Sincere regards,  
BRIAN SANDOVAL  
*Governor of Nevada*

Assemblyman Conklin 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 24, 2011, be entered in the Journal.

Mr. Speaker, Mr. President, distinguished members of the Legislature, honorable Justices of the Supreme Court, constitutional officers, my fellow Nevadans: It is a special honor to be here for my first State of the State with so many new members of the Legislature. Nevada is fortunate to have these leaders take office when we are in such a time of need. Welcome, all of you.

Welcome, too, all of the many guests who have joined us here in the Assembly Chamber. Kathleen and I are honored that you are willing to share this evening with us. Please allow me to express my special gratitude to the Douglas County High School Junior ROTC, Captain Hal Woome, LeAyer Dante, and Manuel Mederos for their contributions to tonight's program. Give them a hand, please.

Ladies and gentlemen, as we gather here in Carson City, countless Nevadans are watching on television or on the Internet. It is as if the collective Nevada family has gathered around the table, each member leaning forward in his or her chair eager to hear the news. In this time of sacrifice, our Nevada family looks to us for reassurance, for solutions, and for leadership.

And so I begin with the story of two men in uniform whose leadership in times of sacrifice can inspire us all. Lieutenant Colonel Tony Millican is stationed at Nellis Air Force Base. He was awarded the Bronze Star and the prestigious 2010 Air Force Lance P. Sijan Award for his heroism in Afghanistan. Lieutenant Colonel Millican survived a blast from a 700-pound explosive device that exploded less than 50 yards away from his location. His story of courage is echoed in the tale of Specialist Ernesto Padilla from Gardnerville. Specialist Padilla is assigned to the 1st Squadron of the 221st Cavalry of the Nevada National Guard. He left his pregnant wife in May 2008 and deployed to Afghanistan, where his vehicle was sliced in half in an explosion. He was severely injured and he earned a Purple Heart. These are but two examples of the sacrifices made by our men and women in uniform every day. Gentlemen, God bless you both, and thank you for putting service above self.

As our family gathers tonight, Nevadans are confronted on all sides with bad news. Our friends have seen their credit ruined. Someone in our family has lost a job. The house around the corner stands vacant. A neighbor has closed her business. A relative is one trip to the doctor away from financial or physical ruin.

Some believe government is the only solution to our current plight. I disagree. Unemployment, foreclosures, bankruptcy—the cure is not more government spending, but helping businesses create jobs. The key is to get Nevada working again.

The Silver State has a long history of economic peaks and valleys, but the state of our state this evening should not be described as just another dip in the road. Instead, we find ourselves on the new terrain of a changed global economy, and the crossing is hard. The Nevada family looks to us to understand how we will navigate this new path. Certainly, there are short-term solutions, some of them painful, but true success lies in making a fundamental course correction and declaring, in the words of Abraham Lincoln: "The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew and act anew."

We begin with the state budget. When my staff and I first arrived at the State Capitol, we were told that the State General Fund must spend \$8.3 billion in the coming biennium instead of the \$6.2 billion we are spending today. We rejected that premise. The population of Nevada has declined, yet the proposed budget would have increased state spending by 34 percent. That kind of math made no sense. Like any Nevada family or business, we began the budget process by looking at how much money we had to spend, not at automatic spending increases. We sought to return spending to 2007 levels, before the current economic crisis. And when the Economic Forum released its forecasts in December, revenues for the next biennium were projected to be only \$5.3 billion. So we started there.

We examined each department on a case-by-case basis. Medicaid and other Health and Human Services caseloads have grown exponentially, requiring an additional \$245 million. Moreover, Nevada is now responsible for providing an extra \$190 million toward the federal Medicaid match. We also must begin paying the \$66 million in interest on money Nevada has borrowed for unemployment benefits.

The previous budget included \$450 million in stimulus funds from the federal government. Of course, stimulus spending was intended to be only a one-time contribution to our state budget, so it was not available for the next biennium. Finally, due to reductions in local revenues, the state must contribute an additional \$440 million to our public schools.

In total, there was a \$1.2 billion hole in the budget. We were confronted with the difference between immediate priorities and long-term investment. That required us to reform our overall spending plan, and I can tell you the process was as painful as it was necessary.

The budget I am submitting to the Legislature represents an 8 percent reduction in total spending from the current biennium. My budget recommends the consolidation, elimination, or centralization of 20 departments and agencies. From the consolidation of the Departments of Personnel, Information Technology, Public Works, and Administration to the smaller but nonetheless important streamlining of energy policy, we will make state government more efficient and more responsive.

State employees have been told that merit pay and longevity pay will remain frozen, and salaries will be reduced by 5 percent. I believe that this is a far better alternative than the mass layoffs chosen by other state and local governments. Positions are eliminated in this budget and layoffs will occur, but not on the scale seen in other states. My plan also eliminates the cumbersome furlough program. Administrators and employees alike told me furloughs make it difficult to manage an agency and nearly impossible to provide high-quality customer service.

Basic support in our K-12 schools is reduced by \$270 per pupil. The change in total support from current spending is just over 9 percent. While this is not ideal, I believe the reductions are within reason if the education establishment is willing to make real changes in how those dollars are spent.

State, local, and student revenue for the Nevada System of Higher Education is reduced by less than 7 percent. With the loss of one-time stimulus dollars, the total reduction is 17.66 percent. However, the Regents have the option of bringing tuition and fees more in line with other western states, so many of these funds can be recovered.

In Health and Human Services and Public Safety, we identified over \$100 million in state spending for what are essentially local programs. The state can no longer afford to pick up this tab, so some of these responsibilities must be transferred to the local level.

Nevadans need to know that we did not blindly accept the cuts requested by the prior administration. In the Department of Health and Human Services alone, \$118 million in spending for essential programs was restored. My budget preserves nearly \$55 million for personal care services, \$4 million in adult day health care, and \$8 million in benefits to two-parent households on Temporary Assistance to Needy Families. We also preserved funds for traumatic brain injury services, autism, early intervention services, independent living, medically necessary dentures, prosthetics, and orthotics. The list goes on. These programs are preserved, and overall spending is still reduced.

However, spending cuts alone could not do the work of balancing the state budget in a reasonable, thoughtful manner. Therefore, we made \$1 billion of public money work harder so as to mitigate cuts to services and programs. None of this money comes from new taxes. We made better use of existing dollars. The public does not think of revenue as yours or mine. All of it—every last penny—is theirs. Whether it's in this bucket or that bucket does not matter.

My budget continues to redirect 9 cents of property tax from Clark and Washoe Counties. I will restrict this money to the support of universities and community colleges in these counties, because property values rise and economic growth occurs where universities contribute to economic development.

We are turning to the school districts, but not to capture capital construction dollars already allocated to projects. Instead, we propose to change the level of reserves required for debt service in all those counties with bond funds. School improvements, maintenance, and equipment purchases will continue, which means no construction jobs will be lost. Simply put, these tax dollars were unnecessarily locked away in one of those separate buckets. We will use \$425 million of these funds to offset the \$440 million in lost local funding I mentioned earlier. The money will stay in education and be used in the district of origin, and I have committed that the state will replenish these funds over time as the Local School Support Tax rebounds.

We must also make temporary use of room tax revenue now slated for teacher salaries in order to defray the costs of overall education spending. I had planned to use that money to reward teacher performance through merit, but we must live with current realities. Pay-for-performance is still included in my budget, just on a different scale.

Finally, I am proposing to raise \$190 million by monetizing the state insurance premium tax proceeds. This solution is not perfect, but it is sound, and it prevents further reductions to education and human services.

When all was said and done, the proposed General Fund expenditures in my budget total just over \$5.8 billion over the next two years—within 1 percent of General Fund spending in 2007.

We not only balanced the budget, we restored many of the cuts our constituents feared most. We also addressed some long-standing issues and some emerging challenges. For example, in 2001 former Speaker Barbara Buckley led the charge to integrate the child welfare systems in Clark and Washoe Counties. In 2003, former Senator Bill Raggio also pushed toward an integrated funding plan. My budget will finish the job, with block grants to Washoe and Clark Counties for the basic operation of child welfare services with local autonomy. In addition, we provide \$7 million for incentive payments if child welfare agencies achieve their stated goals.

My budget responds to the national health care reform legislation passed by Congress last year. I firmly believe that many aspects of the law are unconstitutional, and I will continue to fight to have them overturned. In the meantime, however, the law imposes many deadlines, and we cannot wait until litigation is resolved. We must plan for a major expansion of Medicaid, which may cost Nevadans \$574 million between 2014 and 2019. We must also plan for a health insurance exchange so that we—and not the federal government—control the program. My budget includes funding to address these issues, and I have submitted legislation to address the operation and oversight of a Nevada health insurance exchange.

These initiatives and the overall approach we took to balancing the budget are not about being liberal or conservative. A governor's responsibility is to provide solutions to the problems of the day, and because of Nevada's current reality, I have met this challenge through hard decisions, all the while remaining conscious of the current realities.

On Friday, Nevada's unemployment rate increased yet again, another clear indication that businesses are in a fragile state. Despite what some would have you believe, businesses are sharing in the necessary sacrifices of our times. Whether it's through increased health insurance premiums, the steadily increasing federal costs for unemployment insurance, or even the decreased Medicaid reimbursements to health care providers necessary under my budget, every Nevada business finds it harder and harder to make a profit and thereby keep workers employed.

I recently received a thoughtful letter from a woman who works for a small dental practice in Las Vegas. For the first time in 20 years, they lost money. She wrote, “The assault on our practice finances come from everywhere—insurance companies, the state, the federal government, OSHA regulations, EPA regulations, payroll taxes, and the cost of dental products and supplies.” She begged me to “help set new directions . . . that free up some of our time and money. Otherwise,” she said, “. . . a lot of small businesses . . . will decide that it isn’t worth it to sacrifice the time and effort they do now. . . .” Ladies and gentlemen, it is worth it. I want that dental practice and other Nevada businesses, as well as their employees and families, to succeed. That is exactly what I’m fighting for.

Fellow Nevadans, you and I know that the budget alone will not solve the state’s current crisis. If anything, the budget is only a symbol of the challenges presented by our economic situation. In order for Nevada to fully recover, we must focus our energy on job creation. We must ensure long-term improvements in our education system and do everything in our power to guarantee that the people can respect the government that serves them. So I will spend the balance of my time tonight talking with the Nevada family about three policy areas: economic development, education, and responsive government.

For at least the last 100 years, Nevada governors have called for the creation of economic development agencies or state publicity offices to foster what Assemblywoman Alice Towle in 1922 called “the up-growth of new industries.” In 1983, then-Governor Richard Bryan proposed an overhaul of the Department of Economic Development to create the current structure. In so doing he said, “Our efforts at economic diversification must emphasize our favorable investment climate, tax structure, labor force, and Nevada’s unique resources for solar and geothermal power.” He was right then, he is right now, and we owe it to Nevadans to renew our economic development efforts for the realities of today.

Working with Senate Majority Leader Steven Horsford and Speaker John Oceguera, I propose a complete overhaul of our state’s economic development program. Minority Leaders Mike McGinness and Pete Goicoechea also lend their support, and, of course, Lieutenant Governor Brian Krolicki will play a key role in the modernizing of our state’s system of job creation and business diversification.

We propose to redesign the Commission on Economic Development and recommend a 50 percent increase in General Fund dollars to run it. A new entity, Nevada Jobs Unlimited, will be a public-private partnership existing largely outside state government. With a private sector mentality, it will be more nimble, and it will be a cabinet-level agency, with the Governor joining the Lieutenant Governor, Senate Majority Leader, Assembly Speaker, and representatives of higher education and other critical stakeholders on the board. A majority of the board members will come from the private sector to ensure the focus is squarely on jobs.

Nevada Jobs Unlimited will pursue strategies that grow jobs within existing Nevada businesses as well as recruit companies from out of state. But we will do so with a new sense of urgency, coordination, and accountability. Collaboration and tighter performance indicators will be the metrics of this new system.

We are also proposing a \$10 million catalyst fund to provide much-needed resources to close deals, finance infrastructure, and spur the growth of new jobs. The Fund will be continued in future budgets only if it delivers the kind of success we expect.

Our proposal builds upon the foundation laid by the New Nevada Task Force, which was convened by the Lieutenant Governor last summer and has provided new ideas for the future of our state’s economic development activities. Our future lies in business sectors like technology commercialization, bioscience, renewable energy asset development, and defense sector expansion. Innovation will drive tomorrow’s economy, and so it must drive our decision making as we rebuild our economic development infrastructure.

There’s a treasure in our state that can launch this new focus on innovation: Switch, a 2-million-square-foot technology ecosystem campus in Las Vegas. CNBC recently called the Switch SuperNAP “the best data center on the planet.” For the last ten years, Switch has been

building massive, secure, technology data centers in combination with a telecommunications hub that is unique to North America. Switch's vision and innovation are attracting many Fortune 1000 companies to Las Vegas, and they are bringing jobs to Nevada.

Switch is sponsoring an incentive program called the Nevada Advanced Technology Alliance. By moving employees and divisions to Nevada, companies will save 10 to 20 percent on nationwide telecommunications costs, no matter how big the corporation. This incentive is not funded by tax dollars, donations, or any other government efforts. It simply takes the technological innovations of Switch and extends those benefits to those who partner with Nevada by establishing operations here. This is an advantage unique to Nevada that we will be offering to businesses around the world. With us tonight are Switch CEO Rob Roy and his wife Stella. Thank you, Rob, for raising the bar on innovation.

Let me tell you briefly about how innovation will also help drive change in broadband technology, the gaming industry, renewable energy, and the state's infrastructure needs.

We must continue to drive investment in broadband technology that fast-tracks job growth and provides a platform for spurring innovation across our state. My budget includes \$3 million to help residents of rural Nevada use broadband access to start and grow businesses or telecommunicate to anywhere in the world. These improved broadband connections will also allow the electronic exchange of health information between providers and hospitals to improve the quality of care.

Since I completed my term as chairman of the Nevada Gaming Commission, the gaming entertainment industry has expanded to new states and many new corners of the world. Competitive forces demand a new approach from our regulatory infrastructure. In an increasingly competitive and global economy, Nevada will be the place for gaming innovation. Nevada started this industry. We shaped its development, and we must remain the undisputed leader in the gaming economy. Twenty-first century demands mandate that we provide a flexible environment for the technological resources that are the underpinning of modern gaming devices. I have asked the leadership of our regulatory bodies to begin immediately to process statutory and regulatory changes that sensibly reflect the modernization of the gaming industry.

Nevada can strengthen our leadership role in the renewable energy and energy efficiency industries. The Nevada Retrofit Initiative is leading a ground-breaking partnership with higher education, nonprofits, and local banks for the construction and financing of residential energy efficiency retrofits. In addition, our renewable energy loan fund is a successful low-interest loan program that provides financing for renewable energy projects. Over \$8 million has been loaned to nine renewable energy projects throughout the state. Companies have used these revolving loans to expand manufacturing capacity and create new jobs. Nevada must also remove barriers and develop business models that allow for the export of renewable energy to California, while benefitting taxpayers here at home.

The Nevada Vision Stakeholders Group, conceived by Senator Horsford, recognized that our state's geography and economic development are intertwined and recommended that Nevada secure better access to federal land for renewable energy production and transmission projects. I support all efforts to make Nevada the renewable energy capital of the world.

Finally, we need to improve ground connections by linking Las Vegas to Phoenix via Interstate 11 and to southern California via high-speed rail. Both are critical for transportation and logistics as well as tourism.

My message tonight is one of opportunity, certainly for Nevadans who care about our economic growth, but also for those listening outside our state. Nevada is a place you can call *home* and *headquarters* with equal measure. We are proud of our great cities and towns, low taxes, and our state's natural beauty. Many of our state's leaders are products of our schools and universities. Thanks to my Executive Order freezing most state regulations and requiring a complete regulatory review, we can promise you a stable regulatory environment. Nevada officials and agencies see their job as one of helping you do business, not slowing you down.

We are uniquely situated for logistics and transportation. We have abundant natural resources and are home to preeminent cancer and brain institutes. We love our state, and you will too.

For businesses already operating in Nevada, we want you to know that our focus is on your growth. Roughly 80 percent of new jobs will be created by local businesses, and we need every one of them to put Nevadans back to work. New economic development initiatives will include rural manufacturing workforce development and business expansion programs for small, minority, and veteran businesses.

We will not leave behind those whose careers have been disrupted by the economic earthquake that has shaken our state. For many Nevadans, old skills will simply be inadequate for the new economic reality. I have therefore directed the Department of Employment, Training and Rehabilitation and the Department of Health and Human Services to jointly develop a seamless service plan to put Nevadans to work and reduce reliance on social service programs.

The Silver State Works program will target veterans, unemployment benefit recipients, public assistance recipients, and ex-offenders. A primary goal is to promote a “work first” culture through employer hiring incentives, on-the-job training, and community service. We will invest \$10 million over the next biennium in providing these services to 10,000 unemployed workers, and we will administer Silver State Works utilizing existing staff resources.

Ladies and gentlemen, each one of us has a role to play in Nevada’s economic recovery. Our buying power matters. Whether we are buying a car, computer, or book, we should shop Nevada first. I have said before that if Nevada were a stock, I’d buy it now. It’s true. We have opportunities ahead of us and plans to realize them. Education reform is the linchpin to a solid return on our investment, so let me share with you my plans for our public schools, colleges, and universities.

As Governor, part of my job is to tell people things they don’t like to hear, and when it comes to education in our state, I want to level with the people of Nevada. Our education system is broken—not the people, but the system. While many teachers, professors, and students are excelling, collectively they are held back by an antiquated system that emphasizes too many of the wrong things and for which the only suggested answer has been more and more money. Educators who are effective at teaching students and leading schools are paid exactly the same as those who are failing. Graduation rates remain the worst in the nation. The achievement gap leaves too many students without hope or opportunity, and grade-level performance on national assessments lags.

I know that many students take personal responsibility for their education and succeed as a result. I want them to know they are not alone—that Nevada’s system can and will support them.

Since the advent of the class size reduction program in the early 1990s, hundreds of millions of dollars have been provided to local school districts. The students who first participated in that program should now be graduating, yet many are not. I believe we have put too many constraints on local school districts. My budget proposes the creation of a block grant program that encourages districts to be innovative and results-oriented. If one district chooses to continue class size reduction, so be it. If another district wants to pursue other programs, we will no longer hold them back. Flexibility, local autonomy, and accountability are the keys.

The new Superintendent of Schools in Clark County, Dwight Jones, recently demonstrated why he is already a leader in our state. He wrote: “The downturn in the economy offers a real opportunity to change how we deliver our services. Yes, funding will be a challenge, but the greater imperative is outlining what we want to achieve.” I agree. Mr. Superintendent, I know you are in the room somewhere. I applaud you.

So here is my outline of significant reforms in the way we manage our schools:

- End teacher tenure. An important first step is to eliminate the protection of seniority when decisions about force reduction must be made.



- Rely heavily on student achievement data in evaluating teachers and principals. As incentives, we will provide \$20 million in performance pay for the most effective teachers.
- Eliminate costly programs that reward longevity and advanced degree attainment. Bill Gates, Secretary of Education Arne Duncan, and others have repeatedly noted this kind of spending does not improve student achievement.
- End social promotion. Students who cannot read by the end of third grade will not be advanced to the fourth grade. It's simple—until third grade, we learn to read; after that, we read to learn. Most kids who start behind stay behind. It has to stop.
- Improve accountability report cards and provide more parental choice: open enrollment, better charter school options, and vouchers to make private school education a possibility for more families.
- Reform K-12 governance. I ask the Legislature to support the recommendations of *Nevada's Promise* to provide an improved governance model in which the Governor appoints the State Board of Education and the Superintendent of Public Instruction.

Finally, I am pleased to announce tonight that the Executive Budget includes an additional \$10 million to preserve the Kenny C. Guinn Millennium Scholarship.

And what of our colleges and universities? It is widely acknowledged that they are important for our state's economic development, but here again, the system has failed us. Graduation rates after six years at the state's public two-year colleges range from a high of 20 percent to a dismal low of only 4 percent. Our four-year institutions have graduation rates below 50 percent.

There is concern that further budget reductions will require significant changes to the university and community college system. Perhaps a new system is precisely what we need in this new era. Therefore, I will move forward to grant autonomy over tuition to the regents. Nevada's tuition rates are well below our western neighbors; the regents have long asked for the authority to raise them.

Universities and community colleges must develop a more strategic focus that connects degree programs and the state's economic development efforts. I would also ask that at least 15 percent of any increased tuition be reserved to ensure access for those who need financial aid. As we increase autonomy, we will also increase performance indicators so that graduation rates, completion times, and access are measures of success.

I know that none of this is easy to hear. So let me be clear: Nevada has many effective teachers in our schools. We have great principals and outstanding college professors, but there are also some who have no business teaching or serving as an administrator. It is unacceptable that children in classrooms literally across the hall from one another achieve at dramatically different levels because of the quality of their teacher. The current system cannot address this. It is too cumbersome and so focused on the wrong things that we lose students along the way.

There will be many debates about these issues in the coming weeks, and one who will debate them with us is here tonight as my guest. I am pleased that Michelle Rhee, former chancellor of the Washington, D.C. public school system and the founder and chief executive officer of Students First, a national advocacy organization, is here tonight. Michelle is recognized throughout America as a leader in education reform. She will add her considerable voice to our debate, and I thank her for demonstrating the importance of finally having a frank and honest conversation about public education. Michelle, I know we will hear your voice as one for advocating for students first.

Just a little more than two weeks ago, the nation watched in horror as a gunman opened fire on a member of Congress, a federal judge, and other innocent people in Tucson, Arizona. This despicable act served as a stark and sobering reminder that civil discourse can vanish in a split second. In Nevada, we must never allow this to happen. Isolated madness will not make us afraid of those we serve, and terror will not keep us from putting service above self, from treating each other with civility, and from working together to ensure public confidence in state government. We have the power to demonstrate to the people of Nevada that honest, civil, and responsive government is alive and well in Carson City.

We can begin by working together without political agenda to draw the lines for Nevada's congressional seats and the State Senate and Assembly. The laws of our land are clear, and I will not sign a bill that favors one political party over another. Congressional seats and legislative districts should be drawn with a fair and proportional representation of constituents—period.

We can rededicate ourselves to eliminating any sign of waste, fraud, or abuse in government. I will soon sign an executive order creating the Office of the Inspector General within the Executive Branch. The Inspector General will join the existing Internal Audits Division in reviewing, auditing, and evaluating the expenditure of state funds.

I will work with legislative leadership to introduce a bill that sunsets every licensing and advisory board now on the books. More than 180 of these entities require gubernatorial appointments. Under our proposal, boards and commissions will sunset at the end of June 2013, giving us plenty of time to eliminate, consolidate, or improve functions among those that must remain.

I am also pleased to announce the *Priorities and Performance Budget* makes its debut in the documents transmitted to the Legislature this year. We articulate not only what level of priority each program or service carries, but the performance measures by which it will be judged. In the coming biennium, this initiative will expand to include public participation through websites and other tools as we ask Nevadans to further rank spending priorities. Even more robust performance indicators will therefore be established.

I am calling for the creation of a central grants office for state government. This office will identify federal and philanthropic opportunities that have for too long been overlooked. It will provide a targeted, coordinated effort to infuse additional outside dollars into worthy programs.

I will also work with Senator Dean Rhoads on his long-standing idea to provide bonuses to state workers whose agencies save money during the year so that innovative thinkers are rewarded.

Finally, I will explore resources and services available through the Nevada Judicial College, the Attorney General's Office, and other state agencies to ensure that all agencies with rule-making and regulatory authority take advantage of appropriate training.

Through continued hard work, transparency, and clarity, each and every one of us in this Chamber can take steps to send a clear message to our constituents: This is the people's government. We are but stewards, and Nevadans have every right to hold us to high standards of conduct and responsiveness.

In case we think there is no one to show us the way, we can stop and recognize employees like Trooper Chuck Allen. Trooper Allen was recently named the *Reno Gazette Journal's* "Citizen of the Year" in recognition of his volunteerism. By day, Trooper Allen is a public information officer with the Nevada Highway Patrol. He is proof that service is alive and well in our state. Thank you, Trooper.

Government employment is not just another job, nor is it an entitlement program. Frankly, we seem to have lost this sense of public service where collective bargaining is concerned. I hope this legislative session will see an open discussion of a more balanced approach to employee negotiations. Collective bargaining must be reformed if we are to change the course on which we find ourselves. I stand ready to work with local government officials and union leaders to ensure employee compensation does not hamper government performance.

We must also admit that Nevada's Public Employees' Retirement System cannot sustain its current level of liability. Future employees must join PERS under some form of a defined contribution plan. And the Public Employees' Benefit plan can no longer afford full health coverage for all retirees. New employees entering that system must do so under a new set of rules, as well. I encourage the Legislature to send me a package of public employee retirement and benefit reforms as quickly as possible.

Together, we can create many more opportunities for improvement. I have directed my staff to explore a major consolidation of the Departments of Transportation, Motor Vehicles, and

Public Safety. The objective is to streamline governance of these three agencies to more effectively and efficiently provide public service. Dollars saved will be reinvested through the State Highway Fund to create jobs and to enhance public services.

In addition, I plan to continue the dialogue recently begun with cities, counties, and school districts. I firmly believe there are more opportunities for shared services, cooperation, and functional home rule. We must focus on accountability at every level, and we must reward success at every turn. The Nevada family expects us to succeed by working together.

Therefore, I end this speech where I began my inaugural address just three weeks ago: looking forward—yes, with optimism—to the promise of opportunity presented by the coming celebration of 150 years of statehood in 2014.

The current terrain is difficult, to be sure. Changing course is never easy, but I believe that by making the short-term sacrifices I have outlined, coupled with the long-term reforms that I have proposed, we will reach that milestone with pride.

My fellow Nevadans, I have no doubt that together we are changing the course of history. We are leading the Nevada family onto a new path, and I submit that it is one of progress and ultimate prosperity. If we have the courage to make the tough decisions—and there will be many—we will succeed. If we focus on new solutions that fundamentally change the way we do business, we will succeed. If we make supporting private sector job creation a way of life for all government agencies, if we control state spending, if we push forward with education reform, if we recognize that service above self is a way of life—if we do all of these things together, then truly Nevada will be Nevada again.

Thank you, God bless you, and God bless the great state of Nevada.

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

January 28, 2011

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

DEAR SPEAKER OCEGUERA:

I am writing to request the honor of speaking before both Houses of the Nevada State Legislature at 11 a.m. on February 22, 2011.

My Reno office will be coordinating the details of my visit. Please contact 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 Senator*

SUPREME COURT OF NEVADA  
MICHAEL L. DOUGLAS, CHIEF JUSTICE  
201 SOUTH CARSON STREET  
CARSON CITY, NEVADA 89701-4702  
(775) 684-1755

February 1, 2011

SPEAKER JOHN OCEGUERA, NEVADA LEGISLATURE  
LEGISLATIVE BUILDING  
401 S. Carson Street  
Carson City, Nevada 89701-4747  
DEAR SPEAKER OCEGUERA:

Pursuant to past protocol, I would like to request permission, as Chief Justice of the Nevada Supreme Court in 2011, to address a joint session of the Legislature on the State of the Judiciary

on March 7, 2011, at 5:30 p.m. Also, immediately following, the Court will be hosting its annual reception for the legislators in the court's rotunda.

Your consideration of this request is greatly appreciated.

Sincerely,  
MICHAEL L. DOUGLAS  
*Chief Justice*

MESSAGES FROM THE GOVERNOR

OFFICE OF THE GOVERNOR

CARSON CITY, NEVADA, February 1, 2011

ASSEMBLYMAN JOHN OCEGUERA  
NEVADA STATE ASSEMBLY, SPEAKER-ELECT  
7655 Chaumont Street, Las Vegas, Nevada 89123

DEAR MR. SPEAKER-ELECT,

Today, I received formal notice from the Clerk of the U.S. House of Representatives in the 113th Congress. It is with great pleasure that I transmit to you, for lodging in the record of the 76th Regular Session of the Nevada Legislature, the Certificate of Entitlement. As I said in my State of the State message, I hope we can work together to redraw our state's congressional districts without regard for political agenda. I know you agree, and I look forward to working with you toward that end.

Sincere regards,  
BRIAN SANDOVAL  
*Governor of Nevada*

MESSAGES FROM THE SECRETARY OF STATE

STATE OF NEVADA  
OFFICE OF THE SECRETARY OF STATE

January 4, 2011

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 the following:

Assembly Joint Resolution Nos. 1 and 5, from the 75th Legislative Session; and Assembly Bill Nos. 130, 395, 451, and 503, vetoed from the 75th Legislative Session.

Respectfully,  
ROSS MILLER  
*Secretary of State*

BY: KRISTI D. GEISER, CERA  
*Program Officer III*

STATE OF NEVADA  
OFFICE OF THE SECRETARY OF STATE

February 7, 2011

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 “Building an Arena for a Stronger Future.”

Respectfully,  
ROSS MILLER  
*Secretary of State*

BY: SCOTT GILLES  
*Deputy Secretary for Elections*

#### PRESENTATION OF PETITIONS

Initiative Petition No. 1—AN ACT relating to taxation; requiring the establishment of an arena district in certain larger counties; requiring the imposition of an additional sales and use tax in such a district; providing for the use of the proceeds of such a tax for the construction, improvement, equipment, operation and maintenance of a sports and entertainment arena through public and private cooperation; and providing other matters properly relating thereto.

**Purpose.** The People of Nevada hereby find and declare that:

1. Increases in the population in the most densely populated areas in this State create circumstances and conditions requiring public and private cooperation for the building and operation of first-class sports and entertainment arenas capable of supporting and enticing professional sports teams, such as from the National Basketball Association or National Hockey League.

2. To promote economic development, it is appropriate and beneficial for such areas to have a large sports and entertainment arena that is capable of attracting and maintaining world-class events in this State.

3. Nevada has long been the chosen and preferred venue of many premier sports and entertainment events, including the National Finals Rodeo, boxing and other sporting and entertainment events. Other areas seek to draw those events away from this State, with larger and newer facilities, which have been built through public/private cooperative arrangements.

4. In order to continually preserve this State’s status as a premier entertainment, convention and resort destination, it is the will of the People of this State to provide by statute for the creation and facilitation of public/private cooperation for the creation of first-class sports and entertainment arenas.

5. This measure provides by statute for the imposition of an additional sales and use tax within defined areas and for the manner in which the proceeds of that tax must be used in facilitating public/private cooperation for the construction, acquisition, improvement, equipment, operation and maintenance of such arenas.

**Sec. 1.** Chapter 244A of NRS is hereby amended by adding thereto the provisions set forth as sections 3 to 7, inclusive, of this measure.

**Sec. 2.** *Except as otherwise provided in this section and sections 4 to 7, inclusive, of this measure or unless the context otherwise requires, terms used or referred to in this section and in sections 4 to 7, inclusive, of this measure have the meaning ascribed to them in Chapter 374 of NRS, as from time to time amended. As used in this section and sections 4 to 7, inclusive, of this measure:*

1. *“Arena District” means that portion of a Gaming Enterprise District located within a 3-mile radius of a parcel approved for the Qualifying Arena, excluding that portion of the Gaming Enterprise District located within an incorporated city.*

2. *“County” means any county whose population is 800,000 or more.*

3. *“Department” means the Department of Taxation.*
4. *“Gaming Enterprise District” has the meaning ascribed to it in NRS 463.0158.*
5. *“Governing Body” means the Board of County Commissioners of any county whose population is 800,000 or more.*
6. *“Qualifying Arena” means an arena that will possess all of the following attributes:*
  - (a) *A seating capacity of at least 18,000 with attributes suitable for use by a professional sports team from either the National Basketball Association, the National Hockey League, or both;*
  - (b) *The arena must be located upon property the purchase, acquisition, or use of which is not paid for with any fees, taxes, interest or penalties collected pursuant to this measure;*
  - (c) *The arena must be located within the Arena District; and*
  - (d) *So as to ensure that the arena is centrally located for the benefit of the public and thus supports tourism, there must exist at least 95,000 transient lodging rooms within a 2-mile radius of the center point of the parcel upon which the arena is to be located at the time of its approval.*
7. *“State” means the State of Nevada.*
8. *“Taxing Ordinance” means the ordinance enacted pursuant to subsections 1 and 2 of section 4 of this measure.*

*Sec. 3. 1. As soon as practicable after the effective date of this measure, the Governing Body shall by ordinance establish an Arena District within the County and impose a sales and use tax within the Arena District to support the construction, improvement, equipment, operation and maintenance of a Qualifying Arena. The proceeds from the tax required by this section, including the interest and other income earned thereon, must be used only for the purposes provided by section 6 of this measure and as appropriated by the Governing Body pursuant to section 7 of this measure.*

*2. The ordinance adopted by the Governing Body must further include provisions in substance as follows:*

- (a) *A provision imposing a tax at the rate of 0.9 percent on the gross receipts of any retailer from the sale of all tangible personal property sold at retail in the Arena District or stored, used or otherwise consumed in the Arena District;*
- (b) *A provision establishing that the Arena’s usage must not be limited or dictated to favor the existing or prior owners of the property upon which the Arena is to be built nor any entity or person otherwise involved or contributing to the Arena’s design, development or construction;*
- (c) *Provisions substantially identical to those contained in Chapter 374 of NRS, insofar as applicable;*
- (d) *A provision that if an amendment to Chapter 374 of NRS is enacted after the effective date of the ordinance, not inconsistent with this measure, it automatically becomes part of the ordinance imposing the tax;*
- (e) *A provision that the Governing Body shall contract with the Department, before the tax’s imposition, to perform all the functions incident to the administration or operation of the tax in the Arena District;*
- (f) *A provision that exempts from the tax the gross receipts from the sale of, and the storage, use or other consumption in the Arena District, of tangible personal property used for the performance of a written contract for the construction of an improvement to real property:*
  - (i) *That was entered into on or before the effective date of the tax; or*
  - (ii) *For which a binding bid was submitted before the effective date if the bid was afterward accepted, and pursuant to the terms of the contract or bid, the contract price or bid amount may not be adjusted to reflect the imposition of the tax; and*
- (g) *A provision specifying that the tax is imposed on the first day of the first calendar quarter that begins 120 days after the effective date of the ordinance.*

3. Any ordinance amending the Taxing Ordinance enacted pursuant to this section must include a provision in substance that the Governing Body shall amend the contract made pursuant to this section by a contract made between the Governing Body and the Department, before the effective date of the amendment to the Taxing Ordinance, unless the Governing Body determines with the written concurrence of the Department that no such amendment of the contract is necessary or desirable.

Sec. 4. 1. All fees, taxes, interest and penalties imposed and all amounts of tax required to be paid to the County pursuant to this measure must be paid to the Department in the form of remittances payable to the Department.

2. The Department shall deposit the payments with the State Treasurer for credit to the Sales and Use Tax Account in the State General Fund.

3. The State Controller, acting upon the collection data furnished by the Department, shall monthly:

(a) Transfer from the Sales and Use Tax Account to the appropriate account in the State General Fund 1.75 percent of all fees, taxes, interest and penalties collected pursuant to this measure during the preceding month as compensation to the State for the cost of collecting the tax;

(b) Determine for each County the amount equal to all fees, taxes, interest and penalties collected in the County pursuant to this measure during the preceding month, less the amount transferred to the State General Fund pursuant to paragraph (a); and

(c) Transfer the amount owed to each County to the Intergovernmental Fund and remit the money to the County Treasurer, who shall deposit such amount into a special revenue fund created for the use of the proceeds from the tax required by this measure.

4. Each special revenue fund created for the use of the proceeds from the tax required by this measure must be accounted for as a separate fund and not as a part of any other fund.

5. Interest earned on a special revenue fund created pursuant to this measure must be credited to the fund. The money in each such fund must remain in the fund and must not revert to the County Treasury at the end of any fiscal year.

Sec. 5. 1. Except as otherwise provided by section 5, all proceeds of the tax imposed by section 4 of this measure, including all fees, interest and penalties, must be used only to aid in the funding of the costs to construct, improve, equip, operate and maintain a Qualifying Arena, including to pay the principal of, interest on or other payments due with respect to bonds issued to pay those costs, including bonds issued to refund bonds issued to pay those costs, or any combination thereof. The Governing Body shall have the right, at its sole cost, to audit the financial records related to the use of tax proceeds generated pursuant to section 4 of this measure.

2. Except as otherwise provided in section 4 of this measure, the Governing Body shall not repeal or amend or otherwise directly or indirectly modify the Taxing Ordinance, until such time as all outstanding bonds, including any bonds issued to refund bonds, have been paid and are retired.

Sec. 6. 1. As soon as practicable after the effective date of this measure, and in accordance with the limitations of this section and section 6 of this measure, each Governing Body shall approve a Qualifying Arena and shall appropriate the proceeds of the tax imposed by section 4 of this measure to support the construction, improvement, equipment, operation or maintenance of the Qualifying Arena. Such an appropriation may be made for all or any combination of the purposes enumerated in this subsection.

2. An appropriation may be made for the support of only one Qualifying Arena by any Governing Body. If the Governing Body determines that there is more than one Qualifying Arena otherwise eligible for an appropriation, the appropriation must be made for the support of the Qualifying Arena that, in the judgment of the Governing Body, best serves the interest of the public.

Sec. 7. Effective dates.

1. This section and sections 1 to 7, inclusive, of this measure become effective:
  - (a) If subsection 2 is applicable, upon passage and approval; or
  - (b) If subsection 3 is applicable, upon completion of the canvass of votes by the Supreme Court.
2. If this measure is enacted by the 76th 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) This section and sections 1 to 7, inclusive, of this measure become effective:
    - (1) Upon passage and approval, for purposes of adopting the ordinance imposing the Taxing Ordinance; and
    - (2) On July 1, 2011, for all other purposes.
3. If this measure is not enacted and approved as provided in subsection 2, but is approved by 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) This section and sections 1 to 7, 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 Taxing Ordinance; and
    - (2) On January 1, 2013, for all other purposes.
4. For the purposes of subsection 2, this measure shall be deemed to have been approved by the Governor if, in accordance with Section 35 of Article 4 of the Nevada Constitution:
  - (a) The Governor signs the measure;
  - (b) The measure is passed by both Houses of the Legislature during its 76th Session notwithstanding the objections of the Governor; or
  - (c) The Governor fails to return or file the measure within the time provided by Section 35 of Article 4.

**Sec. 8. 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.

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

Motion carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

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

Assembly Joint Resolution No. 1 of the 75th Session—Proposing to amend the Nevada Constitution to revise the provisions governing a petition for a state initiative or a referendum.

Section 1. 1. A person who intends to circulate a petition that a statute or resolution or part thereof enacted by the legislature be submitted to a vote of the people, before circulating the petition for signatures, shall file a copy thereof with the secretary of state. He shall file the copy not earlier than August 1 of the year before the year in which the election will be held.

2. Whenever a number of registered voters of this state equal to 10 percent ~~for more~~ of the number of voters who voted at the last preceding general election shall express their wish by filing with the secretary of state, not less than 120 days before the next general election, a petition in the form provided for in Section 3 of this Article that any statute or resolution or any part thereof enacted by the legislature be submitted to a vote of the people, the officers charged with the duties of announcing and proclaiming elections and of certifying nominations or questions to be voted upon shall submit the question of approval or disapproval of such statute or resolution or any part thereof to a vote of the voters at the next succeeding election at which



such question may be voted upon by the registered voters of the entire State. ***The number of registered voters required to file the petition must be determined at the time the copy of the petition is filed with the secretary of state pursuant to this Section.*** The circulation of the petition shall cease on the day the petition is filed with the secretary of state or such other date as may be prescribed for the verification of the number of signatures affixed to the petition, whichever is earliest.

3. If a majority of the voters voting upon the proposal submitted at such election votes approval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall stand as the law of the state and shall not be amended, annulled, repealed, set aside, suspended or in any way made inoperative except by the direct vote of the people. If a majority of such voters votes disapproval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall be void and of no effect.

And be it further

RESOLVED, That Section 2 of Article 19 of the Nevada Constitution be amended to read as follows:

Sec. 2. 1. Notwithstanding the provisions of Section 1 of Article 4 of this Constitution, but subject to the limitations of Section 6 of this Article, the people reserve to themselves the power to propose, by initiative petition, statutes and amendments to statutes and amendments to this Constitution, and to enact or reject them at the polls.

2. An initiative petition shall be in the form required by Section 3 of this Article and shall be proposed by a number of registered voters ***from each petition district in this State*** equal to 10 percent ~~for more~~ of the number of voters who voted at the last preceding general election in ~~not less than 75 percent of the counties in the State, but the total number of registered voters signing the initiative petition shall be equal to 10 percent or more of the voters who voted in the entire State at the last preceding general election.~~ ***the petition district. Petition districts must be established by the Legislature. The number of registered voters required to file the initiative petition must be determined at the time the copy of the initiative petition is filed with the Secretary of State pursuant to this Section.***

3. If the initiative petition proposes a statute or an amendment to a statute, the person who intends to circulate it shall file a copy with the Secretary of State before beginning circulation and not earlier than January 1 of the year preceding the year in which a regular session of the Legislature is held. After its circulation, it shall be filed with the Secretary of State not less than 30 days prior to any regular session of the Legislature. The circulation of the petition shall cease on the day the petition is filed with the Secretary of State or such other date as may be prescribed for the verification of the number of signatures affixed to the petition, whichever is earliest. The Secretary of State shall transmit such petition to the Legislature as soon as the Legislature convenes and organizes. The petition shall take precedence over all other measures except appropriation bills, and the statute or amendment to a statute proposed thereby shall be enacted or rejected by the Legislature without change or amendment within 40 days. If the proposed statute or amendment to a statute is enacted by the Legislature and approved by the Governor in the same manner as other statutes are enacted, such statute or amendment to a statute shall become law, but shall be subject to referendum petition as provided in Section 1 of this Article. If the statute or amendment to a statute is rejected by the Legislature, or if no action is taken thereon within 40 days, the Secretary of State shall submit the question of approval or disapproval of such statute or amendment to a statute to a vote of the voters at the next succeeding general election. If a majority of the voters voting on such question at such election votes approval of such statute or amendment to a statute, it shall become law and take effect upon completion of the canvass of votes by the Supreme Court. An initiative measure so approved by the voters shall not be amended, annulled, repealed, set aside or suspended by the Legislature within 3 years from the date it takes effect. If a majority of such voters votes disapproval of such statute or amendment to a statute, no further action shall be taken on such petition. If the Legislature rejects such proposed statute or amendment, the Governor may

recommend to the Legislature and the Legislature may propose a different measure on the same subject, in which event, after such different measure has been approved by the Governor, the question of approval or disapproval of each measure shall be submitted by the Secretary of State to a vote of the voters at the next succeeding general election. If the conflicting provisions submitted to the voters are both approved by a majority of the voters voting on such measures, the measure which receives the largest number of affirmative votes shall thereupon become law. If at the session of the Legislature to which an initiative petition proposing an amendment to a statute is presented which the Legislature rejects or upon which it takes no action, the Legislature amends the statute which the petition proposes to amend in a respect which does not conflict in substance with the proposed amendment, the Secretary of State in submitting the statute to the voters for approval or disapproval of the proposed amendment shall include the amendment made by the Legislature.

4. If the initiative petition proposes an amendment to the Constitution, the person who intends to circulate it shall file a copy with the Secretary of State before beginning circulation and not earlier than September 1 of the year before the year in which the election is to be held. After its circulation it shall be filed with the Secretary of State not less than 90 days before any regular general election at which the question of approval or disapproval of such amendment may be voted upon by the voters of the entire State. The circulation of the petition shall cease on the day the petition is filed with the Secretary of State or such other date as may be prescribed for the verification of the number of signatures affixed to the petition, whichever is earliest. The Secretary of State shall cause to be published in a newspaper of general circulation, on three separate occasions, in each county in the State, together with any explanatory matter which shall be placed upon the ballot, the entire text of the proposed amendment. If a majority of the voters voting on such question at such election votes disapproval of such amendment, no further action shall be taken on the petition. If a majority of such voters votes approval of such amendment, the Secretary of State shall publish and resubmit the question of approval or disapproval to a vote of the voters at the next succeeding general election in the same manner as such question was originally submitted. If a majority of such voters votes disapproval of such amendment, no further action shall be taken on such petition. If a majority of such voters votes approval of such amendment, it shall, unless precluded by subsection 5 or 6, become a part of this Constitution upon completion of the canvass of votes by the Supreme Court.

5. If two or more measures which affect the same section of a statute or of the Constitution are finally approved pursuant to this Section, or an amendment to the Constitution is finally so approved and an amendment proposed by the Legislature is ratified which affect the same section, by the voters at the same election:

(a) If all can be given effect without contradiction in substance, each shall be given effect.

(b) If one or more contradict in substance the other or others, the measure which received the largest favorable vote, and any other approved measure compatible with it, shall be given effect. If the one or more measures that contradict in substance the other or others receive the same number of favorable votes, none of the measures that contradict another shall be given effect.

6. If, at the same election as the first approval of a constitutional amendment pursuant to this Section, another amendment is finally approved pursuant to this Section, or an amendment proposed by the Legislature is ratified, which affects the same section of the Constitution but is compatible with the amendment given first approval, the Secretary of State shall publish and resubmit at the next general election the amendment given first approval as a further amendment to the section as amended by the amendment given final approval or ratified. If the amendment finally approved or ratified contradicts in substance the amendment given first approval, the Secretary of State shall not submit the amendment given first approval to the voters again.

Assemblyman Conklin moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Assemblymen Mortenson, Ohrenschall, Horne, Kihuen and Segerblom:  
Assembly Joint Resolution No. 5 of the 75th Session—Proposing to amend the Nevada Constitution to limit the duration of special sessions of the Legislature to 20 consecutive calendar days with the exception of impeachment, removal and expulsion proceedings, to limit the types of bills which may be introduced, considered or passed during a special session, to provide that a special session may be convened by a petition signed by two-thirds of the Legislators of each House and to provide that regular and special sessions must be adjourned on the final calendar day not later than midnight Pacific time based on the actual measure of time used and observed by the general population of Nevada.

WHEREAS, The Nevada Constitution does not grant the Nevada Legislature express power to convene a special session on extraordinary occasions; and

WHEREAS, There are extraordinary occasions when it is imperative for the Legislature to have express power to convene a special session, such as when it is necessary to hold impeachment or removal proceedings pursuant to Article 7 of the Nevada Constitution against the Governor, Supreme Court Justices or other state and judicial officers who have committed misconduct in office, or when it is necessary to hold expulsion proceedings pursuant to Section 6 of Article 4 of the Nevada Constitution against Legislators who have committed misconduct in office; and

WHEREAS, There are other extraordinary occasions when it is imperative for the Legislature to have express power to convene a special session, such as when it is necessary to enact bills or appropriations to address unexpected conditions or emergency situations, or when it is necessary to reconsider bills vetoed by the Governor after the adjournment of a regular session; and

WHEREAS, There are currently 32 state legislatures in the nation that have express power to call a special session when there are extraordinary occasions; and

WHEREAS, The Nevada Legislature is part of a group of only 18 state legislatures that do not have express power to call a special session, and part of a group of only 11 state 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 coequal 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 grants the Governor express power to call the Legislature into special session but which does not grant such express power to the Legislature, diminishes the constitutional separation of powers by impeding the authority of this State's elected Legislature to perform its constitutional functions of enacting necessary legislation and conducting impeachment, removal and expulsion proceedings on extraordinary occasions; 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 extraordinary occasions 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 a petition signed by two-thirds of the members elected to 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. At a special session convened pursuant to this section, the Legislature shall not introduce, consider or pass any bills except those related to the business specified in the petition and those necessary to provide for the expenses of the session.*

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

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

*5. Except as otherwise provided in this subsection, the Legislature shall adjourn sine die a special session convened pursuant to this section not later than midnight Pacific time at the end of the 20th consecutive calendar day of that session, inclusive of the day on which that session commences. Any legislative action taken after midnight Pacific time at the end of the 20th consecutive calendar day of that session is void. This subsection does not apply to a special session that is convened to conduct proceedings for:*

*(a) Impeachment or removal from office of the Governor and other state and judicial officers pursuant to Article 7 of this Constitution; or*

*(b) Expulsion from office of a member of the Legislature pursuant to Section 6 of Article 4 of this Constitution.*

*6. For the purposes of this section, "midnight Pacific time" must be determined based on the actual measure of time that, on the final calendar day of the session, is being used and observed by the general population as the uniform time for the portion of Nevada which lies within the Pacific time zone, or any legal successor to the Pacific time zone, and which includes the seat of government of this State as designated by Section 1 of Article 15 of this Constitution. The Legislature and its members, officers and employees shall not employ any device, pretense or fiction that adjusts, evades or ignores this measure of time for the purpose of extending the duration of the session.*

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.~~ *time at the end of the 120th consecutive calendar day of that session, inclusive of the day on which that session commences.* Any legislative action taken after midnight Pacific ~~standard time on~~ *time at the end of the 120th consecutive calendar day of that session* 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.

*4. For the purposes of this section, "midnight Pacific time" must be determined based on the actual measure of time that, on the final calendar day of the session, is being used and observed by the general population as the uniform time for the portion of Nevada which lies within the Pacific time zone, or any legal successor to the Pacific time zone, and which includes the seat of government of this State as designated by Section 1 of Article 15 of this Constitution. The Legislature and its members, officers and employees shall not employ any*

*device, pretense or fiction that adjusts, evades or ignores this measure of time for the purpose of extending the duration of the session.*

And be it further

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

Sec . ~~§~~ 33. The members of the Legislature shall receive for their services ~~§~~ 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~~ **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~~ **business** for which they have been *speciall*y 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. At a special session convened pursuant to this section, the Legislature shall not introduce, consider or pass any bills except those related to the business for which the Legislature has been specially convened and those necessary to provide for the expenses of the session.**

**3. Except as otherwise provided in this subsection, the Legislature shall adjourn sine die a special session convened pursuant to this section not later than midnight Pacific time at the end of the 20th consecutive calendar day of that session, inclusive of the day on which that session commences. Any legislative action taken after midnight Pacific time at the end of the 20th consecutive calendar day of that session is void. This subsection does not apply to a special session that is convened to conduct proceedings for:**

**(a) Impeachment or removal from office of the Governor and other state and judicial officers pursuant to Article 7 of this Constitution; or**

**(b) Expulsion from office of a member of the Legislature pursuant to Section 6 of Article 4 of this Constitution.**

**4. For the purposes of this section, “midnight Pacific time” must be determined based on the actual measure of time that, on the final calendar day of the session, is being used and observed by the general population as the uniform time for the portion of Nevada which lies within the Pacific time zone, or any legal successor to the Pacific time zone, and which includes the seat of government of this State as designated by Section 1 of Article 15 of this Constitution. The Legislature and its members, officers and employees shall not employ any device, pretense or fiction that adjusts, evades or ignores this measure of time for the purpose of extending the duration of the session.**

Assemblyman Conklin moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By the Committee on Legislative Operations and Elections:

Assembly Concurrent Resolution No. 1—Adopting the Joint Standing Rules of the Senate and Assembly for the 76th 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 76th 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 chairs 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, a new bill or resolution, or other changes as it sees fit. A new bill or resolution so reported shall be treated as amendments unless the bill or resolution is composed entirely of original matter, in which case it shall receive the treatment required in the respective Houses for original bills, or resolutions, as the case may be. A conference committee shall not recommend any action which would cause the creation of more than one reprint or more than one bill or resolution.*

3. *The report of a conference committee may be adopted by acclamation, and such action may be considered equivalent to the adoption of amendments embodied therein. 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 a person designated by the Secretary and messages from the Assembly to the Senate shall be delivered by the Chief Clerk or a person designated by the 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 chair 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 chair of the committee has signed his or her 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 chair 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.*

#### PUBLICATIONS

##### *Rule No. 6. Ordering and Distribution.*

1. *The bills, resolutions, journals and histories will be provided electronically to the officers and members of the Senate and Assembly, staff of the Legislative Counsel Bureau, the press and the general public on the Nevada Legislature's website.*

2. *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 and Assemblywoman 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 memorialize a former member of the Legislature or other notable or distinguished person upon his or her death.

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.

5. A resolution of one House may be used for any additional purpose determined appropriate by the Majority Leader of the Senate or the Speaker of the Assembly, respectively.

6. A concurrent resolution used for the purposes expressed in paragraph (e) of subsection 2 may only be requested by a statutory, interim or standing committee.

#### 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 1 a.m. Pacific Daylight Saving Time on the 121st 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 or Assemblywoman 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 Chair 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 218E.150, 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 Chair shall be selected at the first meeting of the newly formed Legislative Commission and shall serve until his or her 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 the Director may deem necessary; and*

(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 the Director deems reasonable to ensure access to the record in the foreseeable future.*

#### REAPPORTIONMENT AND REDISTRICTING

##### *Rule No. 13. Responsibility for Measures.*

*The Committee on Legislative Operations and Elections of the Senate and the Committee on Legislative Operations and Elections of the Assembly are respectively responsible for measures which primarily affect the designation of the districts from which members are elected to the Legislature. These committees are hereby designated as the “redistricting committees” for the purposes of this Rule and Joint Standing Rules Nos. 13.1, 13.2, 13.3, 13.4, 13.5, 13.6 and 14.6.*

##### *Rule No. 13.1. Equality of Representation.*

*1. Congressional Districts: The population of each of the Nevada congressional districts must be as nearly equal as practicable.*

*2. State Legislative Districts: The population of the state legislative districts must be substantially equal. In order to meet constitutional guidelines, a plan, or a proposed amendment thereto, will not be considered if the plan or proposed amendment results in an overall range of 10 percent or more, or a relative deviation in excess of plus or minus 5 percent, from the ideal district population.*

*3. Districts for the State Board of Education, the Board of Regents of the University of Nevada and Petition Districts: Equality of population in accordance with the standard for the state legislative districts is the goal of redistricting for the State Board of Education and the Board of Regents of the University of Nevada and for the establishment of petition districts in accordance with NRS 293.127561.*

##### *Rule No. 13.2. Population Database.*

*1. The total state population, and the population of defined subunits thereof, as determined by the 2010 federal decennial census must be the exclusive database for redistricting by the Nevada Legislature.*

*2. Such 2010 census data, as validated by the staff of the Legislative Counsel Bureau, must be the exclusive database used for the evaluation of proposed redistricting plans for population equality.*

##### *Rule No. 13.3. Districts.*

*All district boundaries created by a redistricting plan must follow the census geography.*

##### *Rule No. 13.4. Procedures of the Redistricting Committees and Exemptions.*

*1. A legislator or member of the public may present to the redistricting committees any plans or proposals relating to redistricting, including proposals for redistricting specific districts or all of the state legislative districts, congressional districts, districts for the Board of Regents of the University of Nevada, districts for the State Board of Education or petition districts for consideration by the redistricting committees.*

*2. Bill draft requests, including bills in skeletal form, setting forth specific boundaries of the state legislative districts, congressional districts, districts for the Board of Regents of the University of Nevada, districts for the State Board of Education or petition districts, and*

amendments affecting a majority of the state legislative districts, may only be requested by the chairs of the redistricting committees.

3. The chairs of the redistricting committees are limited to one request each for a bill draft setting forth the specific boundaries of the state legislative districts, one request each for a bill draft setting forth the specific boundaries of the congressional districts, one request each for a bill draft setting forth the specific boundaries of the districts for the Board of Regents of the University of Nevada, one request each for a bill draft setting forth the specific boundaries of the districts for the State Board of Education and one request each for a bill draft setting forth the specific boundaries of the petition districts. At the direction of the chair of a redistricting committee, the bill draft requests setting forth the specific boundaries of the state legislative districts, the congressional districts, districts for the Board of Regents of the University of Nevada, districts for the State Board of Education and petition districts may be combined in any manner.

4. All bill drafts and measures requested by a redistricting committee pursuant to subsection 3 are exempt pursuant to subsection 4 of Joint Standing Rule No. 14.6.

*Rule No. 13.5. Compliance with the Voting Rights Act.*

1. A redistricting committee will not consider a plan that the redistricting committee determines is a violation of section 2 of the Voting Rights Act, 42 U.S.C. § 1973(a), which prohibits any state from imposing any voting qualification, standard, practice or procedure that results in the denial or abridgment of any United States citizen's right to vote on account of race, color or status as a member of a language minority group.

2. A redistricting committee will not consider a plan that the redistricting committee determines is racially gerrymandered. Racial gerrymandering exists when:

(a) Race is the dominant and controlling rationale in drawing district lines; and

(b) The Legislature subordinates traditional districting principles to racial considerations.

3. For the purpose of analyzing the 2010 census data, the redistricting committees shall adopt the method set forth in the Office of Management and Budget (OMB) Bulletin No. 00-02 for aggregating and allocating the 63 categories of race data that will be reported to Nevada by the United States Census Bureau as part of the federal decennial census.

*Rule No. 13.6. Public Participation.*

1. The redistricting committees shall seek and encourage:

(a) Public participation in all aspects of the reapportionment and redistricting activities; and

(b) The widest range of public input into the deliberations relating to those activities.

2. Notices of all meetings of the redistricting committees must be transmitted to any member of the public who so requests, without charge.

3. All interested persons are encouraged to appear before the redistricting committees and to provide their input regarding the reapportionment and redistricting activities. The redistricting committees shall afford a reasonable opportunity to any interested persons to present plans for redistricting, or amendments to plans for redistricting, unless such plans demonstrably fail to meet the minimally acceptable criteria set forth in this rule and Joint Standing Rules Nos. 13, 13.1, 13.2, 13.3, 13.4 and 13.5.

4. Each of the redistricting committees shall fully utilize available videoconferencing capabilities and shall, either jointly or separately, hold at least one hearing in the southern portion of the State and at least one hearing in a rural portion of the State to allow residents throughout the State an opportunity to participate in the deliberations relating to the reapportionment and redistricting activities.

5. The Legislative Counsel Bureau shall make available to the public copies of the validated 2010 census database for the cost of reproducing the database.

6. *The redistricting committees shall make available for review by the public, copies of all maps prepared at the direction of the committees.*

**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 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 Assemblywoman; and*
- (b) Four requests from each Senator,*

*for the drafting of a bill or resolution.*

2. *Except as otherwise provided in subsection 4 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. *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.*

6. *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.*

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

8. *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.*

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

*Rule No. 14.1. Secondary Deadlines for Submission of Details to the Legislative Counsel.*

1. If a request for the drafting of a bill or resolution is submitted to the Legislative Counsel by a Legislator before a regular session has convened, the Legislator who submitted the request shall, by the 15th calendar day of the legislative session, provide the Legislative Counsel with information to draft the request which is sufficient in detail to allow for complete drafting of the request.

2. If a request for the drafting of a bill or resolution is submitted to the Legislative Counsel by a Legislator on or before the 8th calendar day of the legislative session pursuant to subsection 1 of Joint Standing Rule No. 14, the Legislator who submitted the request shall, by the 23rd calendar day of the legislative session, provide the Legislative Counsel with information to draft the request which is sufficient in detail to allow for complete drafting of the request.

3. If a request for the drafting of a bill or resolution is submitted to the Legislative Counsel by a standing committee of the Assembly or Senate on or before the 19th calendar day of the legislative session pursuant to subsection 2 of Joint Standing Rule No. 14, the chair of the standing committee or his or her designee shall, by the 33rd calendar day of the legislative session, provide the Legislative Counsel with information to draft the request which is sufficient in detail to allow for complete drafting of the request.

4. The Legislative Counsel shall give priority to the drafting of bills and resolutions for which sufficient detail to allow complete drafting of the request was submitted within the period required by this Rule.

5. The provisions of this Rule apply to a request submitted by a Legislator who is not returning to the Legislature for the legislative session if the request was claimed by another Legislator, either individually or as the chair of a standing committee, who is or will be serving during the legislative session.

6. The provisions of this Rule do not apply to:

(a) Emergency requests submitted pursuant to Joint Standing Rule No. 14.4.

(b) Requests for which a waiver is granted pursuant to Joint Standing Rule No. 14.5.

**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.*

##### *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 or her 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 or her 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, Joint Standing Rule No. 14.1, 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 218D.130 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 Rules Nos. 14.1 and 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 information which is sufficient in detail to allow for complete drafting of 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.*

**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, Joint Standing Rule No. 14.1, 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, 14.1, 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 218D.130.

4. The provisions of subsections 1 and 2 of Joint Standing Rule No. 14, Joint Standing Rule No. 14.1, 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.

(d) A bill draft or measure requested by a redistricting committee pursuant to subsection 3 of Joint Standing Rule No. 13.4.

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, 14.1, 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 Assemblyman or Assemblywoman 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 89th 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.*

#### ANTI-HARASSMENT POLICY

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

*1. The Legislature hereby declares that it is the policy of the Legislature to prohibit any conduct, whether intentional or unintentional, which results in sexual harassment or other unlawful harassment based upon any other protected category. The Legislature intends to maintain a working environment which is free from sexual harassment and other unlawful harassment. Each Legislator 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 Legislator must exercise his or her 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 or her sex; and*

*(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.*

*4. Retaliation against a person for engaging in protected activity is prohibited. Retaliation occurs when an adverse action is taken against a person which is reasonably likely to deter the person from engaging in the protected activity. Protected activity includes, without limitation:*

*(a) Opposing conduct that the person reasonably believes constitutes sexual harassment or other unlawful harassment;*

*(b) Filing a complaint about the conduct; or*

*(c) Testifying, assisting or participating in any manner in an investigation or other proceeding related to a complaint of sexual harassment or other unlawful harassment.*

*5. A Legislator who encounters conduct that the Legislator believes is sexual harassment, other unlawful harassment, retaliation or otherwise inconsistent with this policy 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. *The Speaker of the Assembly, the Majority Leader of the Senate or the Director of the Legislative Counsel Bureau, as appropriate, shall cause a discreet and impartial investigation to be conducted and may, when deemed necessary and appropriate, assign the complaint to a committee consisting of Legislators of the appropriate House.*

7. *If the investigation reveals that sexual harassment, other unlawful harassment, retaliation or other conduct in violation of this policy has occurred, appropriate disciplinary or remedial action, or both will be taken. The appropriate persons will be informed when any such action is taken. The Legislature will also take any action necessary to deter any future harassment.*

8. *The Legislature encourages a Legislator to report any incident of sexual harassment, other unlawful harassment, retaliation or other conduct inconsistent with this policy immediately so that the complaint can be quickly and fairly resolved.*

9. *All Legislators are responsible for adhering to the provisions of this policy. The prohibitions against engaging in sexual harassment and other unlawful harassment which are set forth in this Rule apply to employees, Legislators, lobbyists, vendors, contractors, customers and any other visitors to the Legislature.*

10. *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 Conklin moved the adoption of the resolution.

Remarks by Assemblyman Conklin.

Resolution adopted.

Assemblyman Conklin moved that all rules be suspended and that the resolution be immediately transmitted to the Senate.

Motion carried unanimously.

By the Committee on Legislative Operations and Elections:

Assembly Resolution No. 1—Adopting the Standing Rules of the Assembly for the 76th Session of the Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the Assembly Standing Rules are hereby adopted for the 76th 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 the Chief Clerk 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 the member 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 shall not engage in a telephone conversation via the use of a portable telephone.*

*2. Before entering the Assembly Chambers, 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.*

*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 Chair and Vice Chair of the Committee. The Vice Chair shall serve as the acting Chair if the Chair 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 or her hearing; or

(c) Discloses the content of an advisory opinion issued to him or her 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 Chair of the Committee or, if the Chair is the subject of the complaint, with the Vice Chair. The Chair or Vice Chair, 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 or her situation upon the matter in question would be materially affected by the Legislator's:

(a) Acceptance of a gift or loan;

(b) Private economic interest; or

(c) Commitment to a member of his or her household or immediate family.

↪ In interpreting and applying the provisions of this subsection, it must be presumed that the independence of judgment of a reasonable person in the Legislator's situation would not be materially affected by the Legislator's private economic interest or the Legislator's commitment to a member of his or her household or immediate family where the resulting benefit or detriment accruing to the Legislator, or if the Legislator has a commitment to a member of his or her household or immediate family, accruing to those other persons, is not greater than that accruing to any other member of the general business, profession, occupation or group that is affected by the matter.

9. Except as otherwise provided in subsection 10, if a Legislator knows he or she has a conflict of interest pursuant to subsection 8, the Legislator shall make a 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 or her independence of judgment; and*

(b) *His or her 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 or she 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.*

15. *For purposes of this Rule, "immediate family" means a person who is related to the Legislator by blood, adoption or marriage within the first degree of consanguinity or affinity.*

*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 Legislative Operations and Elections 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. Requirement of Voting.**

1. *A member shall vote on all questions that come before the body unless the member:*

(a) *Is excused; or*

(b) *Makes a full and complete disclosure of a conflict pursuant to Assembly Standing Rule No. 23.*

2. *A member found guilty by the House of a breach of this Rule shall not vote or speak on the floor, except to explain and apologize for the breach, until the member has made satisfaction to the House for the breach.*

**Rule No. 32. Announcement of the Vote.**

1. *A member may change his or her 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

### A. COMMITTEES

**Rule No. 40. Standing Committees.**

*The standing committees of the Assembly are as follows:*

1. *Ways and Means, fifteen members.*

2. *Judiciary, fourteen members.*

3. *Taxation, thirteen members.*

4. *Education, fourteen members.*

5. *Legislative Operations and Elections, fifteen members.*

6. *Natural Resources, Agriculture, and Mining, thirteen members.*

7. *Transportation, fourteen members.*

8. *Commerce and Labor, sixteen members.*

9. *Health and Human Services, fourteen members.*

10. *Government Affairs, thirteen 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 chair and vice chair 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.

3. All committees will operate under the rules set forth herein and other uniform committee rules as determined by the Speaker and published on the Nevada Legislature's website. Each standing committee may adopt and file with the Chief Clerk's Office policies consistent with these rules.

*Rule No. 42. Subcommittees.*

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

2. Subcommittee meetings will be scheduled by the subcommittee chair after consulting with the committee chair.

3. Members of a subcommittee are required to attend meetings of the subcommittee.

4. Subcommittees of standing committees shall follow the same rules as standing committees.

*Rule No. 43. 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.

*Rule No. 44. Committee on Legislative Operations and Elections.*

The Committee on Legislative Operations and Elections 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. 45. 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.

**B. ELECTION CONTESTS**

*Rule No. 46. 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 Legislative Operations and Elections. 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.

C. DUTIES OF COMMITTEE OFFICERS, COMMITTEE  
MEMBERS AND COMMITTEE STAFF

*Rule No. 47. Committee Chairs.*

1. The chair has all authority necessary to ensure an efficient operation of the committee or subcommittee.

2. The chair shall have general direction of the committee room or other meeting place of the committee, and in case of any disturbance or disorderly conduct therein, or if the peace, good order, and proper conduct of the legislative business is hindered by any person or persons, the chair shall have power to exclude from the session any individual or individuals so hindering the legislative business.

3. Possessing the powers and performing the duties described in this Rule, each committee chair shall:

- (a) Preside over committee meetings and put all questions before the committee;
- (b) Preserve order and decorum and decide all questions of order;
- (c) Determine the order of bills for hearing;
- (d) Prepare and distribute the committee's agenda;
- (e) Call recesses of the committee as deemed necessary;
- (f) Request amendments to resolve conflicts;
- (g) Determine when final action is to be taken on measures, committee reports and other business of the committee;

(h) Sign and submit bill draft requests on behalf of the committee;  
 (i) Appoint subcommittees, as necessary;  
 (j) Provide direction to committee support staff;  
 (k) Prepare and submit committee reports;  
 (l) Review and approve minutes of the committee;  
 (m) Handle unfinished business for measures heard in the committee;  
 (n) Inform the Speaker of committee activity; and  
 (o) Maintain custody of all papers referred to the committee until they are turned over to the Chief Clerk.

4. In the absence of the chair, or upon the request of the chair, the vice chair of the committee shall assume the duties of the chair.

5. The chair may name any member of the committee to perform the duties of the chair if such substitution shall not extend beyond such meeting.

**Rule No. 48. Attendance.**

1. Members shall notify the chair of any absence. Excused absences will be so recorded at the direction of the chair.

2. A member shall advise the chair if he or she must leave a meeting for an extended period of time.

3. Members not in attendance when a final action is taken on a measure will be marked absent for the vote.

**Rule No. 49. Committee Staff.**

Duties of committee attachés shall be prescribed by the Chief Clerk and include, but are not limited to, the following:

1. The committee secretary shall call roll of the members at each meeting, with the chair being called last. The committee secretary shall record in the minutes the members present and the members not present.

2. The committee secretary shall record the meeting and draft committee minutes for the chair's approval.

3. On behalf of the chair, the committee secretary shall maintain all minutes and exhibits of the committee's meetings until released to the custody of the Chief Clerk.

4. The committee manager assigned to each committee shall be responsible to the chair of the committee for the proper and accurate preparation of all reports of the committee.

**Rule No. 50. Committee Operations.**

1. Each committee of the House shall be provided a committee manager who shall maintain a current record of all bills, resolutions, petitions, memorials or other matters filed in committee. A record of committee actions shall be filed with the Chief Clerk. The committee manager shall post, on a bulletin board and electronically, all meeting agendas.

2. The standing committees of the Assembly may coordinate with the standing committees of the Senate to meet as joint committees whenever agreed to by said committees for the purpose of holding public hearings or considering any proposed or pending legislation. Upon conclusion of the joint meeting of said committees, each standing committee of the Assembly may take such action as it determines appropriate. Whenever the committees of the Assembly and Senate hold joint hearings or meetings, the chair of the Assembly committee shall coordinate with the chair of the Senate committee to determine which of them shall preside at the joint meeting.

**Rule No. 51. Committee Records.**

1. *The chair of each committee shall have custody of all bills, papers and other documents referred to the committee and shall make reports authorized by the committee and submit the same to the Chief Clerk.*

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

(a) *The time and place of each meeting;*

(b) *The attendance and absence of members;*

(c) *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*

(d) *The subjects or measures considered and action taken.*

3. *A person may obtain a recording of a meeting by paying a fee determined by the Director of the Legislative Counsel Bureau to cover the cost of the recording but the official record of the meeting is the minutes of the committee meeting approved by the chair pursuant to paragraph (1) of subsection 3 of Assembly Standing Rule No. 47.*

*Rule No. 52. Final Disposition of Committee Minutes and Exhibits.*

*Upon their completion, the Chief Clerk shall turn over all original minutes and exhibits to the Research Library of the Legislative Counsel Bureau.*

#### D. COMMITTEE HEARINGS

*Rule No. 53. Communications.*

1. *Out of respect for the privacy of committee members and staff, members are requested to hold conversations with lobbyists and members of the public at a location other than at the dais.*

2. *Lobbyists, the press, and members of the public are not allowed at the dais.*

3. *All directions, assignments, or requests on behalf of the committee must be communicated to its staff and to the personnel of the Legislative Counsel Bureau by the chair of the committee. A member of the committee must submit such requests to the chair for transmittal to the staff of the committee or to the personnel of the Legislative Counsel Bureau.*

4. *The chair may report instances of misconduct or indecorum by any committee member or other person to the Assembly for its consideration and action.*

*Rule No. 54. Testimony, Witnesses and Exhibits.*

1. *All persons wishing to offer testimony to a committee shall be given a reasonable opportunity to do so as determined by the chair.*

2. *Persons addressing the committee shall keep their remarks to the point and avoid repetition and are subject to call to order by the chair for failure to do so.*

3. *A person shall not be excluded from a meeting or public hearing of a committee or subcommittee except in case of any disturbance or disorderly conduct, or if the peace, good order, and proper conduct of the legislative business is hindered by the person or persons.*

4. *Questions from the committee will be restricted to relevant subject areas.*

5. *When the chair deems necessary, witnesses will be sworn in pursuant to Nevada Revised Statutes 218E.040 before providing testimony.*

6. *Unless waived or revised by the chair, handouts for hearings, including proposed amendments:*

(a) *Must be submitted to the committee's manager not later than 5 p.m. on the business day before the meeting unless an earlier submission date or time is set by the chair, and included on the agenda;*

(b) *Must include the name and contact information of the person providing the handouts;*

(c) *For proposed amendments, must include a brief statement of intent; and*

*(d) Must be submitted by electronic mail or other electronic means.*

**Rule No. 55. 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 chair, 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 chair who announces the subject under consideration and provides an opportunity for persons wishing to address the committee to be heard. These persons shall rise in an order determined by the chair, address the chair and furnish their names, addresses and firms or other organizations represented.*

*3. Committee members may address the chair for permission to question the witness.*

*4. A committee meeting shall adjourn no later than 10 minutes preceding the hour of its next regularly scheduled meeting.*

*5. At the discretion of the chair, meeting may be held outside the regularly scheduled day(s) and time.*

*6. Meetings of the committee may be scheduled outside the Legislative Building in Carson City with prior written approval of the Speaker. Subcommittees must have the prior written approval of the chair of the committee and the Speaker in order to conduct a meeting outside Carson City.*

**E. VOTING AND COMMITTEE ACTION**

**Rule No. 56. Manner of Voting.**

*1. The chair shall declare all votes and shall cause same to be entered on the records of the committee.*

*2. A member shall not vote for another member on any roll call. Any member who votes for another member may be punished in any manner deemed appropriate by the Assembly.*

**Rule No. 57. 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. All motions require a second. If no second is received, that motion shall be declared invalid.*

*4. Definite action on a bill or resolution will require a majority of the entire committee. A member shall vote on all questions that come before the committee unless the member:*

*(a) Is excused; or*

*(b) Makes a full and complete disclosure of a conflict pursuant to Assembly Standing Rule No. 23.*

*5. A majority of the entire committee is required to reconsider action on a bill or resolution.*

*6. 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.*

*7. The chair must be present when the committee votes to take any final action regarding bills or resolutions.*

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

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

10. 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 chair.

11. A member may change his or her vote at any time before the announcement of the vote if the voting is by voice. The announcement of the result of any vote shall not be postponed.

12. Unless a committee member advises the chair otherwise, it will be presumed that the member will vote on an amendment or on a measure, during a floor session, consistent with his or her vote in the committee.

13. A bill, resolution, or amendment in a committee having been rejected twice may not be brought up again during the same legislative session.

14. The minority of a committee may not make a report or present to the House an alternative report.

#### F. PARLIAMENTARY AUTHORITY

Rule No. 58. *Precedence of Parliamentary Authority for Committees.*

*The precedence of parliamentary authority for the purpose of actions in a committee is set forth in Assembly Standing Rule No. 100.*

#### G. DECORUM AND DEBATE IN COMMITTEES

Rule No. 59. *Portable Electronic Communication Devices.*

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

2. No person shall engage in any conduct during a committee meeting which undermines the decorum of the meeting. Before entering 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 an Assembly committee room. Failure to follow a warning issued by the chair may result in the device(s) being confiscated upon direction of the chair for the remainder of the meeting.

Rule No. 60. *Reserved.*

Rule No. 61. *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.*

Rule No. 62. *Points of Order.*

*If any member, in speaking or otherwise, transgresses the rules of the Assembly, the chair shall, or any member may, call to order, in which case the member so called to order shall immediately yield to the floor, 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 the member shall be permitted to go on. Every such decision from the presiding officer shall be subject to an appeal to the committee; 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. 63. Reserved.*

#### VI. RULES GOVERNING MOTIONS

*Rule No. 64. Entertaining.*

*No motion may be debated until it is distinctly announced by the presiding officer. The presiding officer, upon his or her 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.*

#### PARTICULAR MOTIONS

*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.*

*1. A motion to reconsider shall have precedence over every other motion, including a motion to adjourn, if the motion is to reconsider a final vote on a bill or resolution. A motion to reconsider a final vote on a bill or resolution shall be in order only on the day on which the final vote is taken and the vote on such a motion to reconsider must be taken on the same day.*

*2. If the motion to reconsider is for any other action, the motion has 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, the right to move a reconsideration shall continue to the next day of sitting.*

*The next rule is 80.*

#### VII. DEBATE

*Rule No. 80. Speaking on Question.*

*1. 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.*

*2. When a member speaks under Order of Business 11, 12, 13 or 14 of Assembly Standing Rule No. 120, the member must limit his or her remarks to an explanation of the issue or an explanation of the bill, resolution or amendment. If the member desires to speak*



*on the importance of such issue, bill, resolution or amendment, the member must request permission to speak under Order of Business 15 of Assembly Standing Rule No. 120.*

**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 a majority of the members elected; but a rule or order may be suspended temporarily by a vote of a majority 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 Assemblywomen, 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 the desk of a member of the Assembly 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 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 Other Papers.**

*Petitions 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 read for information. 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, subject to the approval of the majority of the members present, request that such remarks be 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 first reading of a bill or joint resolution 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. If the question to reject receives a majority vote of the members present, the bill or joint resolution shall be rejected. The same question must not be considered again during the session, and the question is not subject to a motion for reconsideration. 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 and made available to all members must be moved and voted upon by number. Assembly bills so amended must be reprinted, then engrossed or reengrossed, as applicable, 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. A member who moves to amend a bill during its second reading must limit his or her remarks to an explanation of the amendment. If the member desires to speak on the importance of the amendment, the member must request permission to speak under Order of Business 15 of Rule No. 120.*

*3. The reprinting of amended bills may be dispensed with upon a majority vote of the members present.*

*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 or she 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.**

1. *All bills and joint resolutions reported to the Assembly, by the Committee of the Whole, a standing committee, a conference committee or a special committee, after receiving their second readings must be placed upon the 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.*

2. *A member who moves to amend a bill or joint resolution during its third reading must limit his or her remarks to an explanation of the amendment. If the member desires to speak on the importance of the amendment, the member must request permission to speak under Order of Business 15 of Assembly Standing Rule No. 120.*

3. *A member who speaks on third reading regarding the final passage of a bill, joint resolution or initiative petition must limit his or her remarks to an explanation of the bill, joint resolution or initiative petition. If the member desires to speak on the importance of the bill, joint resolution or initiative petition, the member must request permission to speak under Order of Business 15 of Assembly Standing Rule No. 120.*

**Rule No. 114. Reserved.**

**Rule No. 115. Reconsideration of Vote on Bill.**

*A vote may be reconsidered on the day on which the final vote was taken by a member voting with the prevailing party. 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.*

*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. Vetoed Bills and 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 Conklin moved the adoption of the resolution.

Remarks by Assemblyman Conklin.

Resolution adopted.

By the Committee on Legislative Operations and Elections:

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

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the following persons are elected as attachés of the Assembly for the 76th Session of the Legislature of the State of Nevada: Matthew Baker, Lucinda Benjamin, Diane Keetch, Christie Peters, Jason P. Hataway, Jeanne Douglass, Terry Sullivan, Robin L. Bates, Norman Budden, Linda Marrone, Mary A. Matheus, Sharon P. Murphy, Steven J. Sweeney, Debra Williams, Marge Griffin, Patricia A. Manning, Jasmine Shackley, Leslie Danihel, Dan Giraldo, Matthew Walker, Christina Coats, Riley Sutton, Jean Kvam, Joyce Hess, Alicia Taylor Sisneros, Toshiko McIntosh, Carolyn Maynick, Sara Menke, Laurel Armbrust, Lona M. Domenici, Janet F. Stokes, Ashley Massey, Mary Bean, Mark Sprinkle, Kathryn L. Alden, Harle Glover, Mary Lee, Adrian Viesca, Mistia Zuckerman, Taylor Anderson, Nichole Bailey, Cynthia Carter, Andrew Diss, Patti Adams, Connie Davis, Anne Bowen, Jordan Butler, Tenna Herman, Sherie Silva, Carol J. Thomsen, Janice Wright, Linda Blevins, Theresa Horgan, Jean Bennett, Patricia A. Blackburn, Sheryl Burrows, Lenore Carfora-Nye, Judith Coolbaugh, Janel Davis, Nancy Davis, Jeff Eck, Mary Garcia, Jordan Grow, Julie Kellen, Sharon McCallen, Jenny McMenomy, Earlene Miller, Jordan Neubauer, Mitzi Nelson, Karyn Werner, Linda Whimple, Cheryl L. Williams, Sylvia Brown, Sylvia Dominguez-Curry, Judith Fisher, Karen Fox, Laureen Garcia, Lisa Gardner, Patricia J. Hutson, Millicent Jorgenson, Jackie Kaiser, Denise A. Larsen, Linda Law, Deanna Lazovich, Ryan Lippert, Beatriz Martinez, Lezlie Mayville, Mary Merry, Blayne Osborne, Sheree L. Rosevear, Dennis Roy Jr., Jennifer Scaffidi, Swati Singh, Nancy Tatum, Jackie Valley, Linda Waters, Cheryl Yates, Cinthia Zermeno, Cindy Southerland, Cynthia Wyatt, Sherwood Howard, Olivia M. Lloyd, Michael Smith, Sally A. Stoner, Jordan Davis, Victoria Hinder, Diane Hudson, Verdene Johnson, David E. Moore, Larry Peri, Marcia Peterson, Elizabeth Saenz, Ted Zuend, June Bennett, and Deanna Keirstead.

Assemblyman Conklin moved the adoption of the resolution.

Remarks by Assemblyman Conklin.

Resolution adopted.

By the Committee on Legislative Operations and Elections:

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

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the sum to be allowed, as provided by law, for each member of the Assembly for periodicals, stamps and stationery is \$60 and for the use of telephones is \$2,800, and the sum to be allowed, as provided by law, for the Speaker and Speaker Pro Tempore, Majority Floor Leader, Minority Floor Leader and chair of each standing committee of the Assembly for postage, telephone tolls, and other communication charges is \$900; and be it further

RESOLVED, That these amounts be certified by the Speaker and the Chief Clerk to the State Controller, who is authorized to draw warrants therefor on the Legislative Fund, and the State Treasurer is thereafter authorized to pay these warrants.

Remarks by Assemblyman Conklin.

Resolution adopted.

Assemblyman Conklin moved that persons as set forth on the Nevada Legislature's Press Accreditation List of February 7, 2011, be accepted as accredited press representatives, that they be assigned space at the press table in the Assembly Chambers, that they be allowed use of appropriate broadcasting facilities, and the list be included in this day's Journal:

ASSOCIATED PRESS: Sandra Chereb, Rich Pedroncelli, Cristina Silva; CAPITAL CHRONICLE: Todd Bailey; CARSON NOW: Kirk Caraway; CITADELL BROADCASTING CO.: Rick Worthington; CLARITY DIGITAL GROUP LLC DBA EXAMINER.COM: Brenda Green; COVEREDGE TELEVISION NEWS SERVICE: Tyler Anderson, Tracey Frohn, Richard Travis; DAILY SPARKS TRIBUNE: Jessica Carner; EL MUNDO NEWSPAPER: Frank Alejandre, Edmundo Esobedo; EVANS BROADCAST CO.: William Mott; FOX NEWS 99.1 FM TALK KKFT: Eddie Floyd; GREENSPUN CORP.: Jon Ralston; KLAS-TV: Matthew Adams, Nathan Baca, Alex Brauer, Richard Czarny, Jonathan Humbert, George Knapp, Mark Mutchler; KNPB-TV: Benjamin Asnis, Jeremy Dunn, Michael Hagerty, Alex Muench, Elizabeth Rittiman; KOLO-TV: Edward Barnett, Sholeh Moll, Ed Pearce; KRNVTV: Edward (Ted) Brightman, Victoria Campbell, Ryan Coleman, Ford Corl, Roger du Plessis, David Feher, John Finkbohner, Karen Griffin, Chuck King, Warren Mackenzie, Matthew McConico, Steven Neils, Gary Stone, Erik Strom, Lawrence Vosper, Mackenzie Warren; KSNV-TV: Hetty Chang, Richard Gacovino, Ian Lash, Scott Pinkerton, Miles Smith, Jim Snyder, Robert Stoldal; KTNV-TV: Annette Arreola, Rikki Cheese, Katie Crowther, Brad Driver, Jim Flint, Jason Harvey, Jamie Joyce, Drew Karedes, Heather Klein, Travis Marshall, Blake McCoy, John Neis, Kris Oman, Tina Patel, Jay Romano, Steven Smallwood, Ken Takahashi, Marco Villarreal, Will Walton, Clint Webb, Jason Wilger; KTVN-TV: Arianna Bennett, Bill Brown, Christopher Ciarlo, John Cruz, Wendy Damonte, Jeffrey Foss, Brad Horn, Paul Nelson, Jason Nobles, John Pasco, John Potter, Gene Vance; KUNR 88.7 FM: Brandon Rittiman; KVBC-TV: Ian Lash; KVVU-TV: Kevin Bolinger, Justin Grant, Jason Westerhaus; LAS VEGAS REVIEW-JOURNAL: John Locher, Laura Myers, Steve Sebelius, Benjamin Spillman; LAS VEGAS SUN: Anjeanette Damon, Cy Ryan, David Schwartz; LISA J. PHOTOGRAPHY: Lisa Tolda; LOS ANGELES TIMES – LAS VEGAS BUREAU: Ashley Powers; NEVADA APPEAL: Geoff Dornan, Brian Duggan, Jim Grant, Sandi Hoover, Shannon Litz, Sue Morrow, Francine Piccolino, Peggy Santoro, Teri Vance; NEVADA BROADCASTERS ASSOCIATION: Adam Sandler; NEVADA NEWS BUREAU: Elizabeth Crum, Andrew Doughman, Sean Whaley; NEVADA NEWSMAKERS AND VEGAS PBS: Samantha Stone; RADIO INNOVACION 1590 AM KQLO: Laura Calzada, Ricardo Garcia, Xiomara Rodriguez, Ramon Suro;

RENO GAZETTE-JOURNAL: Andy Barron, Guy Clifton, Julie Dawes, Tim Dunn, Ray Hagar, Elizabeth Margerum, Marilyn Newton, David Parker; RENO SPARKS VIDEO PRODUCTIONS: Marc Mulry, James Parker, William G. Pearce, Rhode Roberts; SPARKS TRIBUNE: Nathan Orme, Joshua Silavent; TASMAN PACIFIC MEDIA GROUP: Donna Andres, Peter Hutchinson; UNIVISION: Anya Arechiga, Manuel Climaco, Cesar Perez, Estefania Ramirez, Gabriela Tafolla.

Motion carried.

Mr. Speaker announced if there were no objections, the Assembly would recess until 2 p.m.

Motion carried.

Assembly in recess at 1:42 p.m.

#### ASSEMBLY IN SESSION

At 2:07 p.m.

Mr. Speaker presiding.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Taxation:

Assembly Joint Resolution No. 1—Proposing to amend certain provisions of the Nevada Constitution related to the assessment and collection of property taxes to authorize the Legislature to provide by law for the recalculation of the taxable value of depreciated improvements to real property upon the transfer, sale or conveyance of the property.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That Section 1 of Article 10 of the Nevada Constitution be amended to read as follows:

Section 9. 1. The Legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal and possessory, except mines and mining claims, which shall be assessed and taxed only as provided in Section 5 of this Article.

2. Shares of stock, bonds, mortgages, notes, bank deposits, book accounts and credits, and securities and choses in action of like character are deemed to represent interest in property already assessed and taxed, either in Nevada or elsewhere, and shall be exempt.

3. The Legislature may constitute agricultural and open-space real property having a greater value for another use than that for which it is being used, as a separate class for taxation purposes and may provide a separate uniform plan for appraisal and valuation of such property for assessment purposes. If such plan is provided, the Legislature shall also provide for retroactive assessment for a period of not less than 7 years when agricultural and open-space real property is converted to a higher use conforming to the use for which other nearby property is used.

4. Personal property which is moving in interstate commerce through or over the territory of the State of Nevada, or which was consigned to a warehouse, public or private, within the State of Nevada from outside the State of Nevada for storage in transit to a final destination outside the State of Nevada, whether specified when transportation begins or afterward, shall be deemed to have acquired no situs in Nevada for purposes of taxation and shall be exempt from taxation. Such property shall not be deprived of such exemption because while in the warehouse the



property is assembled, bound, joined, processed, disassembled, divided, cut, broken in bulk, relabeled or repackaged.

5. The Legislature may exempt motor vehicles from the provisions of the tax required by this Section, and in lieu thereof, if such exemption is granted, shall provide for a uniform and equal rate of assessment and taxation of motor vehicles, which rate shall not exceed five cents on one dollar of assessed valuation.

6. The Legislature shall provide by law for a progressive reduction in the tax upon business inventories by 20 percent in each year following the adoption of this provision, and after the expiration of the 4th year such inventories are exempt from taxation. The Legislature may exempt any other personal property, including livestock.

7. No inheritance tax shall ever be levied.

8. The Legislature may exempt by law property used for municipal, educational, literary, scientific or other charitable purposes, or to encourage the conservation of energy or the substitution of other sources for fossil sources of energy.

9. No income tax shall be levied upon the wages or personal income of natural persons. Notwithstanding the foregoing provision, and except as otherwise provided in subsection 1 of this Section, taxes may be levied upon the income or revenue of any business in whatever form it may be conducted for profit in the State.

10. The Legislature may provide by law for an abatement of the tax upon or an exemption of part of the assessed value of a single-family residence occupied by the owner to the extent necessary to avoid severe economic hardship to the owner of the residence.

**11. The Legislature may provide by law for the recalculation of any depreciation allowed by law in the determination of the value of improvements to real property for the purposes of taxation, such that the value of a depreciated improvement is reset to the current replacement cost of the improvement upon such a transfer, sale or other conveyance of the property as the Legislature determines to be appropriate.**

Assemblyman Conklin moved that the resolution be referred to the Concurrent Committees on Legislative Operations and Elections and Taxation.

Motion carried.

By the Committee on Legislative Operations and Elections:

Assembly Joint Resolution No. 2—Proposing to amend the Nevada Constitution to provide for a 90-day legislative session in odd-numbered years and a 60-day legislative session in even-numbered years, to revise the date of the commencement of a regular legislative session from the first Monday in February to the first Monday in March, to provide for a commission to recommend the compensation for Legislators, and to revise the payment of certain allowances to Legislators during a legislative session.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, 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~~ **annual**, and shall commence on the 1st Monday of ~~February following the election of members of the Assembly,~~ **March**, unless the Governor of the State shall, in the interim, convene the Legislature by proclamation.

2. The Legislature shall adjourn sine die each regular session **held in an odd-numbered year** not later than midnight Pacific ~~standard time 120 calendar days following its commencement,~~ **time at the end of the 90th consecutive calendar day of that session, inclusive of the day on which that session commences.** Any legislative action taken after midnight Pacific ~~standard time on~~ **time at the end of the** ~~120th~~ **90th consecutive** calendar day of that session

is void, unless the legislative action is conducted during a special session convened by the Governor.

3. *The Legislature shall adjourn sine die each regular session held in an even-numbered year not later than midnight Pacific time at the end of the 60th consecutive calendar day of that session, inclusive of the day on which that session commences. Any legislative action taken after midnight Pacific time at the end of the 60th consecutive calendar day of that session is void, unless the legislative action is conducted during a special session convened by the Governor.*

4. The Governor shall submit :

(a) *In odd-numbered years, the proposed executive budget ; and*

(b) *In even-numbered years, any proposed appropriations or proposed revisions to the executive budget,*

to the Legislature not later than 14 calendar days before the commencement of each regular session.

5. *For the purposes of this section, "midnight Pacific time" must be determined based on the actual measure of time that, on the final calendar day of the session, is being used and observed by the general population as the uniform time for the portion of Nevada which lies within the Pacific time zone, or any legal successor to the Pacific time zone, and which includes the seat of government of this State as designated by Section 1 of Article 15 of this Constitution. The Legislature and its members, officers and employees shall not employ any device, pretense or fiction that adjusts, evades or ignores this measure of time for the purpose of extending the duration of the session.*

And be it further

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

Sec . ~~¶~~ 33. 1. The members of the Legislature shall receive for their services ~~¶~~ a compensation to be fixed by law and paid out of the public treasury, for not to exceed **90 days during any regular session of the Legislature conducted during an odd-numbered year, not to exceed** 60 days during any regular session of the ~~Legislature~~ **Legislature conducted during an even-numbered year**, 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.]~~

2. *The Legislature shall establish by law the Commission on Compensation for Legislators and provide for the organization of the Commission, including, without limitation, the powers and duties of the Commission and the terms of the members of the Commission.*

3. *The Commission shall:*

(a) *Consider the duties and compensation of members of the legislatures in Nevada and in states in the western part of the United States that have demographic and economic conditions similar to Nevada.*

(b) *On or before March 1 in each odd-numbered year, recommend to the Legislature an amount of compensation for members of the Nevada Legislature. The Legislature may consider the recommendation of the Commission when fixing the compensation that members of the Legislature receive for their services.*

And be it further

RESOLVED, That Section 6 of Article 11 of the Nevada Constitution be amended to read as follows:

~~Section~~ *Sec. 6.* 1. In addition to other means provided for the support and maintenance of said university and common schools, the legislature shall provide for their support and maintenance by direct legislative appropriation from the general fund, upon the presentation of budgets in the manner required by law.

2. During a regular session of the Legislature ~~in~~ *in any odd-numbered year*, before any other appropriation is enacted to fund a portion of the state budget for the next ensuing biennium, the Legislature shall enact one or more appropriations to provide the money the Legislature deems to be sufficient, when combined with the local money reasonably available for this purpose, to fund the operation of the public schools in the State for kindergarten through grade 12 for the next ensuing biennium for the population reasonably estimated for that biennium.

3. During a special session of the Legislature that is held between the end of a regular session *in an odd-numbered year* in which the Legislature has not enacted the appropriation or appropriations required by subsection 2 to fund education for the next ensuing biennium and the first day of that next ensuing biennium, before any other appropriation is enacted other than appropriations required to pay the cost of that special session, the Legislature shall enact one or more appropriations to provide the money the Legislature deems to be sufficient, when combined with the local money reasonably available for this purpose, to fund the operation of the public schools in the State for kindergarten through grade 12 for the next ensuing biennium for the population reasonably estimated for that biennium.

4. During a special session of the Legislature that is held in a biennium for which the Legislature has not enacted the appropriation or appropriations required by subsection 2 to fund education for the biennium in which the special session is being held, before any other appropriation is enacted other than appropriations required to pay the cost of that special session, the Legislature shall enact one or more appropriations to provide the money the Legislature deems to be sufficient, when combined with the local money reasonably available for this purpose, to fund the operation of the public schools in the State for kindergarten through grade 12 for the population reasonably estimated for the biennium in which the special session is held.

5. Any appropriation of money enacted in violation of subsection 2, 3 or 4 is void.

6. As used in this section, "biennium" means a period of two fiscal years beginning on July 1 of an odd-numbered year and ending on June 30 of the next ensuing odd-numbered year.

And be it further

RESOLVED, That Section 12 of Article 17 of the Nevada Constitution be amended to read as follows:

*Sec. 12.* The first regular session of the Legislature shall commence on the second Monday of December A.D. Eighteen hundred and Sixty Four, and the second regular session of the same shall commence on the first Monday of January A.D. Eighteen hundred and Sixty Six; and the third regular session of the Legislature shall be the first of the biennial sessions, and shall commence on the first Monday of January A.D. Eighteen hundred and Sixty Seven; and the regular sessions of the Legislature shall be held thereafter. ~~biennially.~~

And be it further

RESOLVED, That Section 2 of Article 19 of the Nevada Constitution be amended to read as follows:

*Sec. 2.* 1. Notwithstanding the provisions of Section 1 of Article 4 of this Constitution, but subject to the limitations of Section 6 of this Article, the people reserve to themselves the power to propose, by initiative petition, statutes and amendments to statutes and amendments to this Constitution, and to enact or reject them at the polls.

2. An initiative petition shall be in the form required by Section 3 of this Article and shall be proposed by a number of registered voters equal to 10 percent or more of the number of voters who voted at the last preceding general election in not less than 75 percent of the counties in the State, but the total number of registered voters signing the initiative petition shall be equal

to 10 percent or more of the voters who voted in the entire State at the last preceding general election.

3. If the initiative petition proposes a statute or an amendment to a statute, the person who intends to circulate it shall file a copy with the Secretary of State before beginning circulation and not earlier than ~~January 1 of the year preceding the year in which a regular session of the Legislature is held.~~ **1 year before the date on which the Legislature to which the petition will be transmitted commences its regular session.** After its circulation, it shall be filed with the Secretary of State not less than 30 days prior to ~~any~~ **the commencement of the** regular session of the Legislature ~~to which the petition will be transmitted.~~ The circulation of the petition shall cease on the day the petition is filed with the Secretary of State or such other date as may be prescribed for the verification of the number of signatures affixed to the petition, whichever is earliest. The Secretary of State shall transmit such petition to the Legislature as soon as the Legislature convenes and organizes. The petition shall take precedence over all other measures except appropriation bills, and the statute or amendment to a statute proposed thereby shall be enacted or rejected by the Legislature without change or amendment within 40 days. If the proposed statute or amendment to a statute is enacted by the Legislature and approved by the Governor in the same manner as other statutes are enacted, such statute or amendment to a statute shall become law, but shall be subject to referendum petition as provided in Section 1 of this Article. If the statute or amendment to a statute is rejected by the Legislature, or if no action is taken thereon within 40 days, the Secretary of State shall submit the question of approval or disapproval of such statute or amendment to a statute to a vote of the voters at the next succeeding general election. If a majority of the voters voting on such question at such election votes approval of such statute or amendment to a statute, it shall become law and take effect upon completion of the canvass of votes by the Supreme Court. An initiative measure so approved by the voters shall not be amended, annulled, repealed, set aside or suspended by the Legislature within 3 years from the date it takes effect. If a majority of such voters votes disapproval of such statute or amendment to a statute, no further action shall be taken on such petition. If the Legislature rejects such proposed statute or amendment, the Governor may recommend to the Legislature and the Legislature may propose a different measure on the same subject, in which event, after such different measure has been approved by the Governor, the question of approval or disapproval of each measure shall be submitted by the Secretary of State to a vote of the voters at the next succeeding general election. If the conflicting provisions submitted to the voters are both approved by a majority of the voters voting on such measures, the measure which receives the largest number of affirmative votes shall thereupon become law. If at the session of the Legislature to which an initiative petition proposing an amendment to a statute is presented which the Legislature rejects or upon which it takes no action, the Legislature amends the statute which the petition proposes to amend in a respect which does not conflict in substance with the proposed amendment, the Secretary of State in submitting the statute to the voters for approval or disapproval of the proposed amendment shall include the amendment made by the Legislature.

4. If the initiative petition proposes an amendment to the Constitution, the person who intends to circulate it shall file a copy with the Secretary of State before beginning circulation and not earlier than September 1 of the year before the year in which the election is to be held. After its circulation it shall be filed with the Secretary of State not less than 90 days before any regular general election at which the question of approval or disapproval of such amendment may be voted upon by the voters of the entire State. The circulation of the petition shall cease on the day the petition is filed with the Secretary of State or such other date as may be prescribed for the verification of the number of signatures affixed to the petition, whichever is earliest. The Secretary of State shall cause to be published in a newspaper of general circulation, on three separate occasions, in each county in the State, together with any explanatory matter which shall be placed upon the ballot, the entire text of the proposed amendment. If a majority of the voters voting on such question at such election votes disapproval of such amendment, no further action

shall be taken on the petition. If a majority of such voters votes approval of such amendment, the Secretary of State shall publish and resubmit the question of approval or disapproval to a vote of the voters at the next succeeding general election in the same manner as such question was originally submitted. If a majority of such voters votes disapproval of such amendment, no further action shall be taken on such petition. If a majority of such voters votes approval of such amendment, it shall, unless precluded by subsection 5 or 6, become a part of this Constitution upon completion of the canvass of votes by the Supreme Court.

5. If two or more measures which affect the same section of a statute or of the Constitution are finally approved pursuant to this Section, or an amendment to the Constitution is finally so approved and an amendment proposed by the Legislature is ratified which affect the same section, by the voters at the same election:

(a) If all can be given effect without contradiction in substance, each shall be given effect.

(b) If one or more contradict in substance the other or others, the measure which received the largest favorable vote, and any other approved measure compatible with it, shall be given effect. If the one or more measures that contradict in substance the other or others receive the same number of favorable votes, none of the measures that contradict another shall be given effect.

6. If, at the same election as the first approval of a constitutional amendment pursuant to this Section, another amendment is finally approved pursuant to this Section, or an amendment proposed by the Legislature is ratified, which affects the same section of the Constitution but is compatible with the amendment given first approval, the Secretary of State shall publish and resubmit at the next general election the amendment given first approval as a further amendment to the section as amended by the amendment given final approval or ratified. If the amendment finally approved or ratified contradicts in substance the amendment given first approval, the Secretary of State shall not submit the amendment given first approval to the voters again.

Assemblyman Conklin moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Assemblyman Ocegüera and Senator Horsford:

Assembly Concurrent Resolution No. 2—Providing for the voluntary transfer of a portion of Legislators' salaries to the State General Fund.

WHEREAS, The State of Nevada faced a staggering budgetary deficit for the 2009-2011 biennium as a result of the impact of a prolonged national recession on Nevada's economy; and

WHEREAS, To meet its constitutional duty to balance the State's budget for this biennium, the 75th Regular Session of the Nevada Legislature was required to make difficult decisions, including, without limitation, making significant cuts to the State's budget and imposing furlough requirements on state employees which amounted to a 4.6 percent reduction in salaries; and

WHEREAS, Despite the financial burden of the salary reduction, public employees of this State have continued to perform their duties with diligence, dedication and professionalism; and

WHEREAS, The Nevada Constitution prohibits the increase or decrease of the salaries of state officers during their terms of office; and

WHEREAS, In recognition of the financial sacrifice of our State's public workforce during this biennium, the members of the 76<sup>th</sup> Regular Session of the Nevada Legislature pledge to voluntarily take a comparable 4.6 percent reduction in their salaries for the session; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Legislature hereby directs the Accounting Unit of the Legislative Counsel Bureau to withhold 4.6 percent of each Legislator's salary for the 76th Regular Session of the Nevada Legislature; and be it further

RESOLVED, That the Accounting Unit of the Legislative Counsel Bureau shall pay the total amount of such withholdings to the State Treasurer for credit to the unrestricted balance of the State General Fund; and be it further

RESOLVED, That the Accounting Unit of the Legislative Counsel Bureau shall not reduce the salary of any Legislator who did not vote in favor of passage of this resolution and who notifies the Director of the Legislative Counsel Bureau that the Legislator does not wish to have the withholding made from his or her salary.

Assemblyman Conklin moved that the resolution be referred to the Committee of the Whole.

Remarks by Assemblyman Conklin.

Motion carried.

Assemblyman Conklin moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Concurrent Resolution No. 2, with Assemblyman Ocegueda as Chair of the Committee of the Whole.

Motion carried.

#### IN COMMITTEE OF THE WHOLE

At: 2:09 p.m.

Chair Ocegueda presiding.

Quorum present.

Assembly Concurrent Resolution No. 2 considered.

CHAIR OCEGUERA:

Just for the members, the Committee of the Whole is just like a committee meeting. I will be referred to as the Chair. It is just like a committee meeting but we will have 42 members on the committee. What I would like to do is take a definition or description of the bill from Mr. Conklin and then I will take three in favor of the bill and three opposed to the bill and we will see where we are at after that. Mr. Conklin.

ASSEMBLYMAN CONKLIN:

Thank you, Mr. Chair. In recognition of the 4.6 percent salary reduction taken by state employees this biennium as a result of the furlough requirements, A.C.R. 2 directs the accounting unit of the Legislative Counsel Bureau to withhold 4.6 percent of each legislator's salary for the session. The total amount of those withholdings will be credited to the State's General Fund, however, this is voluntary. A withholding will not be made from the salary of any member who did not vote in favor of passage of the resolution and who notifies the director of the Legislative Counsel Bureau that the member does not wish to have the withholdings made from his or her salary.

CHAIR OCEGUERA:

Thank you, Mr. Conklin. I will take the folks in favor of this measure. Mr. Goicoechea.

ASSEMBLYMAN GOICOECHEA:

Thank you, Mr. Chair. I rise in support of A.C.R. 2. Clearly, I think the real benefit of this is right now if we want to do a salary reduction we have to write that check to a charity, with A.C.R. 2 we truly will be returning the money back to where it belongs and that is the State General Fund. Thank you.

ASSEMBLYMAN OHRENSCHALL:

Thank you, Mr. Chair. I rise in support of A.C.R. 2. The economic downturn in our country has hit our state probably harder than any state in the nation. Because of the downturn many Nevadans, including our state employees, have seen their paychecks shrink while they have been asked to do more. This resolution gives the members of this body the opportunity to share in the sacrifices that all our state employees and all Nevadans have had to make. Mr. Chairman, I urge the recommendation of your Committee of the Whole.

CHAIR OCEGUERA:

Thank you, Mr. Ohrenschall. Others in favor of the resolution?

ASSEMBLYMAN BROOKS:

Although I am a newly elected legislator I have received many emails on behalf of citizens concerned with our budget. Many state employees have shared with me their stories of how these reductions have affected their families—something many Nevadans are facing at this time. This is an opportunity for us to say we understand, care, and appreciate the sacrifice they have made and are making to our state. Let us take this 4.6 percent pay cut and let it serve as an assurance to the people of this great State of Nevada that we are in this together. Thank you.

CHAIR OCEGUERA:

Thank you, Mr. Brooks, and I'm also a little rusty, you can sit during a Committee of the Whole, just like a committee meeting you can speak from your chair, as well. Others wishing to speak in favor of the resolution?

ASSEMBLYMAN HAMBRICK:

Thank you, Mr. Chairman. I wish all of us to support the resolution. However, a question to the Chairman, "Should we be discussing this matter at great length with the Governor's proposed 5 percent instead of the furlough; rather than a 4.6 it may go to 5 percent. If there is some way that as we go through the session and it comes up to 5 percent, if we could match that, or do you believe as Chair, would that be a separate item at that point to go an additional 4.6 percent?"

CHAIR OCEGUERA:

Mr. Hambrick, it is a separate issue. This issue is because the *Constitution* did not allow us to increase or decrease our salary. We figured out a way to do that. We didn't even know that we were going to do that in the last legislative session until June, and it didn't go into effect until July, so this is the first opportunity that we've had to enact that among our own members. So, I think, we will be in a similar situation the next time as well. Others wishing to speak in favor of the resolution? Alright, let's go to the opposition. Those wishing to speak in opposition to the resolution. Alright, seeing none are there any further questions or testimony on A.C.R. 2? Seeing none, the Chair will accept a motion.

On motion of Assemblyman Conklin, the committee did rise and report back to the Assembly.

#### ASSEMBLY IN SESSION

At 2:15 p.m.

Mr. Speaker presiding.

Quorum present.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Committee of the Whole, to which was referred Assembly Concurrent Resolution No. 2, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JOHN OCEGUERA, *Chairman*

## MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Conklin moved that Assembly Concurrent Resolution No. 2, just reported out of committee, be placed on the Resolution File.

Motion carried.

Assembly Concurrent Resolution No. 2.

Assemblyman Conklin moved the adoption of the resolution.

Remarks by Assemblyman Conklin.

Resolution adopted.

Assemblyman Conklin moved that all rules be suspended and that Assembly Concurrent Resolution No. 2 be immediately transmitted to the Senate.

Motion carried.

## INTRODUCTION, FIRST READING AND REFERENCE

By Assemblywoman Kirkpatrick:

Assembly Bill No. 1—AN ACT relating to state financial administration; requiring certain governmental entities to report financial information periodically to certain legislative bodies; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Kirkpatrick:

Assembly Bill No. 2—AN ACT relating to motor vehicles; providing an exemption from emissions inspection for certain restored motor vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Stewart:

Assembly Bill No. 3—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 Conklin moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblyman Hambrick:

Assembly Bill No. 4—AN ACT relating to crimes; revising the provisions relating to the crime of holding another person in involuntary servitude; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Hambrick:

Assembly Bill No. 5—AN ACT relating to crimes; revising provisions regarding the punishment for pandering; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Hambrick:

Assembly Bill No. 6—AN ACT relating to criminal procedure; authorizing courts to allow certain victims of sex trafficking or involuntary servitude who have been convicted of engaging in or soliciting prostitution to seek new trials and have their judgments of conviction vacated; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 7—AN ACT relating to judges; extending the time by which an answer to an affidavit seeking disqualification of a judge must be filed; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Hambrick and Carrillo; Senator Manendo:

Assembly Bill No. 8—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 Conklin moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 9—AN ACT relating to courts; requiring a justice of the peace to charge and collect certain additional fees; revising certain civil filing fees in the justice court; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 10—AN ACT relating to governmental administration; requiring any interest and income earned on money in the Gift Fund for the State Library and Archives to be credited to the Fund; revising the requirements for saving images of public records before the records may be destroyed; eliminating the Fund for the Support of the Division of Museums and History of the Department of Cultural Affairs; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 11—AN ACT relating to the Department of Corrections; authorizing the interception of certain communications relating to the escape of an offender; authorizing certain employees of the Department to seek the tracing of certain communications under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 12—AN ACT relating to parole; transferring the authority to use the Parolees' Revolving Loan Account from the State Board of Parole Commissioners to the Chief Parole and Probation Officer; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 13—AN ACT relating to juveniles; making it discretionary rather than mandatory for a peace officer or probation officer to take a child into custody for an unlawful act involving the possession, use or threatened use of a firearm while engaged in hunting activities or target practice; providing for the disposition of cases involving the killing or possession of certain animals; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 14—AN ACT relating to taxation; revising the conditions upon and requirements for a partial abatement of the taxes imposed on certain new or expanded businesses and renewable energy facilities; tolling for the period of such an abatement the time limitations upon certain procedures for the enforcement of the abated taxes; requiring each board of county commissioners to adopt an ordinance regarding the approval or denial of an application for such an abatement; imposing additional requirements when certain renewable energy facilities cease to meet the eligibility requirements for such an abatement; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Assembly Bill No. 15—AN ACT relating to governmental administration; repealing requirements for the compilation and publication of certain biennial reports and statistical abstracts; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 16—AN ACT relating to public employees; providing for additional compensation to be paid to certain senior psychiatrists and senior physicians employed by the Department of Corrections for being available to be called in to work during periods in which they are not regularly scheduled to work; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 17—AN ACT relating to administrative procedure; exempting the judicial review of decisions of the Public Utilities Commission of Nevada from the requirements of the Nevada Administrative Procedure Act; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 18—AN ACT relating to parole; clarifying that meetings of the State Board of Parole Commissioners are quasi-judicial; clarifying the rights of prisoners and other persons who appear before the Parole Board; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly Bill No. 19—AN ACT relating to fishing; requiring the Department of Wildlife to issue special fishing permits to certain social groups operated for the benefit of children; requiring the Department to issue to a person who is not a bona fide resident of the State of Nevada an annual license to fish solely in certain reciprocal waters upon the payment of a fee; and providing other matters properly relating thereto.

Assemblyman Conklin 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. 20—AN ACT relating to optometry; requiring the Nevada State Board of Optometry to issue a license by endorsement to practice optometry in this State in certain circumstances; revising provisions governing the examination for licensure by the Board; revising provisions governing the discipline and unprofessional or unethical conduct of licensees; repealing provisions that require the Board to maintain a roster of licensees; repealing provisions that pertain to the scope of reexaminations for licensure; establishing fees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 21—AN ACT relating to state financial administration; requiring certain occupational licensing boards and commissions to comply with the same requirements as other agencies of the Executive Department of the State Government with respect to financial administration, including personnel, buildings and grounds, the state budget and internal controls; requiring such boards and commissions to deposit money in accordance with the laws that apply to other state agencies; removing the requirement for certain performance audits of the Board of Medical Examiners; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 22—AN ACT relating to counties; removing the prospective expiration of provisions allowing a county office to deviate from its required hours of operation under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 23—AN ACT relating to insurance; enacting the Interstate Insurance Product Regulation Compact; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 24—AN ACT relating to the Public Utilities Commission of Nevada; revising provisions governing the administrative operations of the Commission; revising the duties of the Executive Director of the Commission; prohibiting certain actions of Commissioners concerning contested cases; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 25—AN ACT relating to certified court reporters; revising the educational requirements to take the examination for certification by the Certified Court Reporters' Board of Nevada; authorizing the Board to impose a civil penalty against a person for certain violations; increasing the amount of the administrative fine that may be imposed against a person by the Board; revising the authority of the Board to investigate certain conduct; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 26—AN ACT relating to insurance; providing that a motor vehicle liability policy issued in this State must be written specifically to meet the requirements for insurance in this State; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 27—AN ACT relating to motor vehicles; expanding the types of identification cards for which the Department of Motor Vehicles must increase the fees as necessary to cover the actual cost of production of photographs; clarifying that there is a fee for license plates authorized for use by licensed automobile wreckers and licensed operators of salvage pools to move certain vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 28—AN ACT relating to motor vehicles; revising the definition of "low-speed vehicle" to comport with the federal definition of that term; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 29—AN ACT relating to public hospitals; authorizing the boards of hospital trustees of certain public hospitals to fix the compensation of members of hospital advisory boards; revising provisions

governing the staff of physicians at public hospitals; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 30—AN ACT relating to motor vehicles; revising provisions relating to the authorization of certain emergency vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 31—AN ACT relating to contractors; revising an exemption for certain repairs or maintenance of property from the provisions governing contractors; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 32—AN ACT relating to contractors; requiring a licensed contractor to submit a request for an increase in the monetary limit of his or her license to the State Contractors' Board at least 10 working days before submitting a bid on certain projects; requiring a contractor to obtain approval by the Board of a request for an increase in the monetary limit of his or her license before submitting a bid on certain projects; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 33—AN ACT relating to psychologists; requiring the Board of Psychological Examiners to investigate certain complaints; authorizing the Board to issue a cease and desist order to a person who practices psychology in this State without a license; authorizing the Board to issue a citation to a person who practices psychology in this State without a license; requiring the Board to impose an administrative fine against a person who practices psychology in this State without a license; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 34—AN ACT relating to traffic laws; repealing the prohibition on the use of photographic, video or digital equipment to gather evidence to use for issuing traffic citations; and providing other matters properly relating thereto.

Assemblyman Conklin 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. 35—AN ACT relating to pesticides; making various changes to provisions relating to licenses to engage in pest control; increasing the amount of certain insurance required to obtain a license to engage in pest control; authorizing the Director of the State Department of Agriculture to take disciplinary action against a person licensed to engage in pest control in certain circumstances; revising requirements concerning having a primary principal at certain business locations; and providing other matters properly relating thereto.

Assemblyman Conklin 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. 36—AN ACT relating to indigent persons; revising provisions governing the Fund for Hospital Care to Indigent Persons; revising the membership of the Board of Trustees of the Fund; requiring the Nevada Association of Counties to provide administrative support to the Board; authorizing payment for certain administrative expenses; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 37—AN ACT relating to State Government; deleting the provisions that require the offices of all state officers, departments, boards, commissions and agencies to remain open during a certain period; and providing other matters properly relating thereto.



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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 38—AN ACT relating to public works; requiring a contractor to replace an unacceptable subcontractor on a public work of the State without an increase in the amount of the bid; requiring a prime contractor to forfeit a portion of the amount of a contract for a public work under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 39—AN ACT relating to educational personnel; removing the requirement that the Superintendent of Public Instruction notify a licensee by mail of the date of expiration of his or her license; requiring the Department of Education to maintain a directory of licensees on the Internet website maintained by the Department; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 40—AN ACT relating to private postsecondary educational institutions; revising the requirements concerning background investigations of certain applicants for employment or contracts with private postsecondary educational institutions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 41—AN ACT relating to education; revising provisions governing the membership of a committee to form a charter school and the membership of the governing body of a charter school; authorizing the payment of monthly rather than quarterly apportionments to a charter school during the process to revoke the written charter of the school; requiring a charter school to report certain information concerning licensed persons who are under contract with the charter school; revising provisions governing

homeschooled children; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 42—AN ACT relating to counties; authorizing a county to sell, lease or otherwise dispose of certain real property acquired directly from the Federal Government in certain circumstances without obtaining an appraisal; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 43—AN ACT relating to traffic laws; extending from semiannual to annual the interval at which records of traffic citations must be audited by governmental agencies; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 44—AN ACT relating to civil actions; revising the statutes of repose regarding actions for damages resulting from certain deficiencies in construction; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 45—AN ACT relating to district attorneys; revising requirements relating to attendance at meetings and at the county seat of certain district attorneys; requiring district attorneys to perform certain legal duties for the boards of county commissioners; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 46—AN ACT relating to taxation; clarifying the inapplicability of certain partial abatements of property taxes to various assessments relating to the adjudication of water rights and management of water resources; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 47—AN ACT relating to taxation; increasing the base allocation from the Local Government Tax Distribution Account to the City of Fernley; directing the Legislative Commission to appoint a subcommittee to conduct an interim study of the formula for the allocation of money distributed from the Account; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 48—AN ACT relating to mental health; authorizing mental health consortia to perform certain activities relating to children's mental health; authorizing mental health consortia to accept and expend money for certain purposes; making an appropriation to the Department of Health and Human Services for the administrative costs of the consortia; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Concurrent Committees on Health and Human Services and Ways and Means.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 49—AN ACT relating to public defenders; establishing the Fund for Legal Defense of Indigent Persons; authorizing certain counties to apply to the Board of Trustees of the Fund for reimbursement of certain extraordinary costs of providing public defender services; providing for an additional administrative assessment to be paid by persons who plead guilty to or are convicted of a misdemeanor; increasing certain administrative assessments; requiring certain administrative assessments to be deposited in the Fund for Legal Defense of Indigent Persons; imposing an additional sales and use tax; authorizing boards of county commissioners to impose an additional sales and use tax; requiring revenue generated by the additional

sales and use taxes to be used by counties for provision of legal services to indigent persons; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Concurrent Committees on Judiciary and Taxation.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 50—AN ACT relating to public health; authorizing the Health Division of the Department of Health and Human Services to collect the actual costs incurred for the enforcement of provisions relating to medical and related health facilities; providing exceptions to the collection of such costs; revising provisions governing homes for individual residential care; requiring facilities for the care of adults during the day to pay fees relating to licensure; repealing certain provisions relating to homes for individual residential care; and providing other matters properly relating thereto.

Assemblyman Conklin 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. 51—AN ACT relating to providers of emergency medical services; revising provisions relating to the certification of emergency medical technicians; requiring certain money collected from issuing certain licenses and certificates to be used to provide grants for training volunteers to provide emergency medical care; revising training requirements for licensed physicians, registered nurses and licensed physician assistants who provide emergency medical care in an ambulance; revising certain educational standards for emergency medical technicians; and providing other matters properly relating thereto.

Assemblyman Conklin 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. 52—AN ACT relating to unemployment compensation; making certain temporary governmental employees ineligible for unemployment compensation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 53—AN ACT relating to transportation; requiring the Director of the Department of Transportation to charge fees based upon market value for authorizing the placement of trademarks or symbols identifying individual enterprises on certain signs and for providing information regarding attractions and services along highways of the State; authorizing the Director to recommend to the Board of Directors of the Department programs for providing information to the traveling public to be funded from money received from fees charged on those signs; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 54—AN ACT relating to public health; authorizing the establishment of a medical district in certain counties; prescribing the powers and duties of such a district; and providing other matters properly relating thereto.

Assemblyman Conklin 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. 55—AN ACT relating to dentistry; authorizing the Board of Dental Examiners of Nevada to issue a holder of a limited license a permit to perform certain dental practices; requiring the Board to adopt regulations relating to such permits; revising the requirements for the issuance of a limited license; authorizing the Board to impose certain fees to recover the costs of certain examinations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 56—AN ACT relating to the Office of the Attorney General; authorizing the Attorney General, acting through the Medicaid Fraud Control Unit, to issue a subpoena to obtain certain documents, records or materials; authorizing the Attorney General to recover and retain certain costs and expenses that are incurred pursuant to an investigation or prosecution by the Unit; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 57—AN ACT relating to crimes; revising provisions relating to the registration of offenders convicted of a crime against a child and of sex offenders; requiring notification of certain agencies after changes in a sex offender's location or length of stay in a jurisdiction; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 58—AN ACT relating to municipal finance; authorizing the governing body of a city to enter into an energy risk management contract to mitigate the price volatility of fuel purchased for use in city vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 59—AN ACT relating to the Open Meeting Law; requiring a public body to take certain actions if the Attorney General finds that the public body has violated the Open Meeting Law; authorizing the Attorney General to issue subpoenas during investigations of such violations; revising the definition of “public body” for the purposes of the Open Meeting Law; requiring a public body to include certain notifications on an agenda for a public meeting; making members of a public body subject to a civil penalty for violations; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 60—AN ACT relating to public works; restricting the eligibility to receive a preference in bidding on public works by requiring a contractor who seeks such a preference to file with the State Contractors' Board an affidavit stating that a certain percentage of the estimated cost of the work on the relevant contract will be performed by a general contractor

or specialty contractor who holds a valid certificate of eligibility to receive such a preference; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 61—AN ACT relating to substance abuse; creating the Substance Abuse Working Group within the Office of the Attorney General to study issues relating to substance abuse in this State; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 62—AN ACT relating to the Office of the Attorney General; authorizing the Attorney General to charge a fee for the prosecution of certain cases; authorizing the Attorney General to charge the office of a district attorney or city attorney a fee for issuing a written opinion; authorizing the Attorney General to charge a regulatory body for certain training services provided by the Attorney General; authorizing the Attorney General to charge the Board of Homeopathic Medical Examiners, the State Board of Oriental Medicine and the Board of Psychological Examiners for all services relating to certain investigations conducted by the Attorney General; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 63—AN ACT relating to the Office of the Attorney General; revising provisions governing the duties of, and services provided by, the Attorney General; revising the conditions under which certain cooperative agreements between various public agencies may be reviewed by the Attorney General; authorizing the Attorney General to designate a city attorney or district attorney to prosecute certain false claims; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 64—AN ACT relating to education; revising provisions governing the types of high school diplomas that may be issued to pupils; authorizing certain pupils to receive a standard high school diploma without passing all subject areas of the high school proficiency examination under certain circumstances; authorizing the board of trustees of a school district to adopt a policy that allows certain pupils enrolled in high school the opportunity to make up credit; revising provisions governing pupils who are habitual truants and habitual disciplinary problems; authorizing counties to increase the filing fees in certain civil actions to fund certain programs for the diversion of truancy; authorizing a juvenile court to impose certain penalties against a parent or legal guardian of a child who is adjudicated in need of supervision because the child is a habitual truant; increasing certain administrative assessments to fund certain programs for the diversion of truancy; revising provisions governing the issuance of drivers' licenses to persons who are 16 or 17 years of age; revising provisions governing employment of minors; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Concurrent Committees on Education and Transportation.

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 65—AN ACT relating to professions; providing for the regulation by the Board of Psychological Examiners of the practice of applied behavior analysis; providing for the discipline of behavior analysts, assistant behavior analysts and autism behavior interventionists; revising the requirements for licensure as a behavior analyst or assistant behavior analyst; revising the requirements for certification as an autism behavior interventionist; making it a crime to engage in certain conduct in connection with the practice of applied behavior analysis; revising certain provisions concerning the psychologist-patient privilege; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 66—AN ACT relating to crimes; requiring written notice concerning a person's right to bear arms to be given to the person when his or her criminal records are sealed; authorizing the State Board of Pardons Commissioners to inquire into and inspect certain sealed records of a person who applies to the Board for a pardon; requiring the official document that is given to a person who is granted a pardon to include certain



information concerning the person's right to bear arms; and providing other matters properly relating thereto.

Assemblyman Conklin 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 financial administration; eliminating the liability of a public employer to its employees for erroneously reporting wages to the Public Employees' Retirement System; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 68—AN ACT relating to cities; exempting certain leases of real property from requirements relating to appraisal and auction; reducing the number of independent appraisals of fair market value required in certain circumstances for the sale or lease of real property by cities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 69—AN ACT relating to public works; authorizing the Department of Transportation to contract with a construction manager at risk for the preconstruction and construction of certain projects under certain circumstances; establishing the method for selecting a construction manager at risk; prescribing the procedure for negotiating a contract with a construction manager at risk and for certain terms of such a contract; authorizing the Department to retain a consultant in connection with the design of such a project; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 70—AN ACT relating to public purchasing; prohibiting a department, office, bureau, officer or employee of the State of Nevada from purchasing a motor vehicle without prior written consent of the State Board of Examiners or its designee; deleting the requirement that certain

automobiles be labeled by painting the words "State of Nevada" and "For Official Use Only" in plain lettering on the automobile; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Assembly Bill No. 71—AN ACT relating to taxation; directing the Legislative Commission to conduct an interim study concerning the equitable allocation of money distributed from the Local Government Tax Distribution Account; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 72—AN ACT relating to securities; designating certain uses of a certification or professional designation as unethical or dishonest practices in the securities business; requiring the filing of certain forms when a sales representative terminates association with a broker-dealer; revising activities for which the Administrator of the Securities Division of the Office of the Secretary of State may deny a license or impose certain limitations or disciplinary actions upon a licensee; revising certain registration and filing requirements for certain securities; increasing the penalty for the putting off, circulation or publication of any false or misleading writing, statement or intelligence regarding a security that is publicly traded; prohibiting certain activities in an investigation, proceeding or prosecution; increasing certain fees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 73—AN ACT relating to water; authorizing the State Engineer or any assistant or authorized agent of the State Engineer to enter certain premises to investigate and carry out the duties of the State Engineer; requiring the State Engineer to cancel a permit to appropriate water for a beneficial use if the holder of the permit fails to file certain information within a certain period after the date of the notice to file that information; revising provisions relating to the forfeiture of certain water rights; removing provisions requiring the State Engineer to adopt regulations establishing a program to allow a public water system to receive a credit for adding a new

customer to the system; authorizing a public water system to receive such a credit under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 74—AN ACT relating to insurance; requiring the Commissioner of Insurance to adopt regulations relating to electronic signatures, records and payments; revising provisions relating to the external review of adverse determinations by enacting the National Association of Insurance Commissioners' Uniform Health Carrier External Review Model Act; clarifying the circumstances under which an actuary is not liable for damages with respect to the actuary's opinion; authorizing the electronic transmission of fingerprints with an application for a license; revising provisions relating to the licensing of adjusters; revising provisions relating to surplus lines insurance; revising provisions relating to the use of credit information; requiring that certain policies of group insurance be filed with and approved by the Commissioner; revising provisions relating to annuities, pure endowment contracts and policies of life insurance; revising provisions relating to evidence of insurance for motor vehicles; revising provisions relating to disciplinary action by the Commissioner; revising and clarifying provisions relating to employee leasing companies; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 75—AN ACT relating to crimes; revising the acts that constitute a sexual offense; revising the acts that constitute unlawful contact with a child or unlawful contact with a person with mental illness; revising the definition of “sexual offense” for various statutes relating to juvenile offenders; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 76—AN ACT relating to the Public Employees' Benefits Program; revising provisions concerning reinstatement of insurance

under the Program; authorizing the Board of the Program and certain advisory committees to meet in closed session under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 77—AN ACT relating to mortgage lending; revising provisions relating to the licensing of escrow agents and escrow agencies; revising provisions relating to a surety bond or substitute security posted by an escrow agent; requiring the Commissioner of Mortgage Lending to establish certain fees; revising provisions relating to disciplinary action for an escrow agent or escrow agency; establishing provisions governing the arranging or servicing of loans in which an investor has an interest; requiring a mortgage broker who services a loan to make certain reports; requiring a mortgage broker to provide to investors in a construction loan a performance bond conditioned upon faithful performance of the construction contract; requiring certain information to be disclosed to investors in loans; requiring a subsidiary or holding company of certain entities to comply with statutes governing mortgage brokers and mortgage agents; exempting certain natural persons and nonprofit organizations from statutes governing mortgage brokers and mortgage agents; revising provisions relating to a surety bond posted by a mortgage broker; requiring a mortgage broker to review an impound trust account annually; revising provisions relating to the renewal of a license as a mortgage banker; enacting requirements for mortgage brokers and for mortgage bankers to make the statutory schemes governing the two professions more similar; allowing disclosure of certain confidential information relating to an investigation; enacting provisions for the enforcement of the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008; requiring the licensing of a person who performs the services of a construction control; requiring the licensing of a provider of certain additional services as a provider of covered services; revising provisions relating to compensation for a provider of covered services; increasing certain administrative fines; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 78—AN ACT relating to business associations; excluding certain nonprofit organizations from the definition of “business”;

imposing a fine on certain business entities that transact business in this State without qualifying to do business in this State under certain circumstances; revising provisions relating to certain filings with the Secretary of State by certain business associations; making various technical corrections to various provisions relating to business associations; requiring and increasing certain fees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 79—AN ACT relating to taxation; revising provisions governing an exemption from the partial abatement of the ad valorem taxes imposed on real property following certain fluctuations in the taxable value of the property; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 80—AN ACT relating to the Public Employees' Benefits Program; making various changes relating to the Program; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Assembly Bill No. 81—AN ACT relating to elections; revising provisions relating to declarations of candidacy or acceptance of candidacy; clarifying when a minor political party may be recognized; revising certain requirements for petitions of referendum; increasing fees for filing for candidacy; revising provisions concerning ballots; revising provisions relating to counting ballots, posting voting results and recounts; requiring employers to allow employees to be absent to participate in the nomination process for President of the United States; providing that the residency of spouses of certain military personnel is not changed whether absent or present in this State; making various changes concerning campaign contributions and expenditures; making various other changes to provisions governing elections; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By the Committee on Legislative Operations and Elections:

Assembly Bill No. 82—AN ACT relating to elections; establishing certain requirements for the organization of voter registration drives; revising provisions governing registering to vote by computer; authorizing additional mailing precincts in certain circumstances; making various other changes relating to the administration and conduct of elections; requiring the electronic filing of certain campaign contribution and expenditure reports and statements of financial disclosure; authorizing the disposition of unspent campaign contributions to a governmental entity and for the use of legal expenses; requiring the annual registration of committees for political action; making various other changes relating to campaign finance; providing penalties; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Assemblyman Ocegueda:

Assembly Bill No. 83—AN ACT relating to crimes; revising the statute of limitations for crimes relating to identity theft; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 84—AN ACT relating to employment; authorizing an employee or a labor-management committee established under federal law to commence a civil action against an employer for failing to pay certain wages under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 85—AN ACT relating to common-interest communities; revising provisions concerning litigation instituted by an association in a common-interest community on behalf of two or more units' owners; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 86—AN ACT relating to education; prescribing certain rights for licensed and unlicensed employees of school districts; revising provisions governing investigations of and disciplinary action against licensed teachers; revising provisions relating to the compensation of certain licensed employees who are reinstated; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 87—AN ACT relating to discovery; enacting the Uniform Interstate Depositions and Discovery Act; establishing procedures for requesting and issuing certain subpoenas; providing for the service and enforcement of such subpoenas; requiring that an application for a protective order or to enforce, quash or modify such subpoenas comply with all applicable rules of court and laws of this State; repealing the Uniform Foreign Depositions Act; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 88—AN ACT relating to foreign declarations; enacting the Uniform Unsworn Foreign Declarations Act; authorizing the use in this State under certain circumstances of unsworn declarations executed outside of the United States; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 89—AN ACT relating to insurance; requiring certain policies of health insurance and health care plans to provide coverage for acupuncture treatments in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 90—AN ACT relating to employment practices; prohibiting employers from subjecting an employee to abusive conduct in a work environment; requiring a court to award damages, back pay and attorney's fees consistent with the provisions set forth in Title VII of the Civil Rights Act of 1964 on prevailing claims of unlawful employment practices; prohibiting employers from discriminating against an employee with respect to a physical characteristic of the employee; revising provisions relating to the time in which an employee may seek relief in district court for a claim of unlawful employment practices; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 91—AN ACT relating to collaborative law; enacting the Uniform Collaborative Law Act; establishing the requirements of a collaborative law participation agreement and the collaborative law process; establishing standards applicable to collaborative lawyers; providing that certain collaborative law communications are confidential and privileged; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Flores:

Assembly Bill No. 92—AN ACT relating to convicted persons; providing for the waiver of fees for the issuance of certain forms of identifying information for certain persons released from prison; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 93—AN ACT relating to criminal offenders; requiring the Department of Corrections to establish intermediate sanction facilities for certain probation violators and offenders to receive treatment for alcohol or drug abuse; requiring the Department of Health and Human Services to



provide such treatment; authorizing courts to set aside the conviction of an offender or return a probation violator to probation in lieu of imprisonment upon successful completion of treatment at an intermediate sanction facility; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Stewart:

Assembly Bill No. 94—AN ACT relating to mental health; authorizing the involuntary court-ordered admission of certain persons with mental illness to programs of community-based or outpatient services under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Carlton (by request):

Assembly Bill No. 95—AN ACT relating to special license plates; authorizing the Commission on Special License Plates to postpone consideration of an application for a special license plate under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 96—AN ACT relating to evidence; prohibiting a court from ordering a psychological or psychiatric examination of a victim of or a witness to an alleged sexual offense; authorizing a court to exclude psychological or psychiatric testimony in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Smith:

Assembly Bill No. 97—AN ACT relating to the City of Sparks; amending the Charter of the City of Sparks to revise the process for appointing various positions in city government; revising the selection process for Mayor pro tempore; revising the list of classes of persons protected from employment

discrimination by the City; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 98—AN ACT relating to emergencies; enacting the Uniform Emergency Volunteer Health Practitioners Act, which allows a participating state to establish a system whereby medical and veterinary service providers from other states may register to provide volunteer medical and veterinary services in that state in the event of an emergency; allowing a participating state to determine how various licensing, liability and certain other state laws will apply to registered medical and veterinary service providers who provide such volunteer services in a state in which they are not licensed to practice; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Assembly Bill No. 99—AN ACT relating to elections; requiring the Secretary of State to conduct an annual drawing to determine a random alphabet to be used in determining the order in which the names of candidates for an office must appear on the ballot; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 100—AN ACT relating to elections; enacting the Uniformed Military and Overseas Absentee Voters Act; repealing certain provisions governing the use of absent ballots by Armed Forces of the United States personnel and overseas citizens; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 101—AN ACT relating to utilities; requiring the board of county commissioners in certain counties to create an underground utilities district; authorizing the creation of such a district in other counties; providing

for the organization, operation and budget of an underground utilities district; authorizing the issuance of general obligation bonds and the levy of a tax to construct and maintain an underground utilities district; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Carlton:

Assembly Bill No. 102—AN ACT relating to professional licenses; revising the requirements for licensure as a professional engineer or professional land surveyor for certain applicants; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Livermore (by request):

Assembly Bill No. 103—AN ACT relating to the Airport Authority Act for Carson City; amending the qualifications of certain members of the Board of Trustees of the Airport Authority of Carson City; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Sherwood:

Assembly Bill No. 104—AN ACT relating to voting; prohibiting a person from using a false or assumed name when voting; prohibiting a person from conspiring with another person to vote using a false or assumed name; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Assemblyman Sherwood:

Assembly Bill No. 105—AN ACT relating to employee organizations; requiring each employee organization recognized by a local government employer in this State to prepare an annual report concerning the dues, expenditures, compensation and other finances of the employee organization; requiring the employee organization to make the report available for inspection by certain members of the employee organization and to submit a copy of the report to the Legislative Auditor if requested by the Legislative Commission; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Hambrick:

Assembly Bill No. 106—AN ACT relating to crimes; enhancing the punishment for certain acts relating to living from the earnings of a prostitute; enhancing the punishment for soliciting a child for prostitution; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Flores:

Assembly Bill No. 107—AN ACT relating to criminal procedure; requiring the adoption of certain policies and procedures relating to the identification of criminal suspects; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Assembly Bill No. 108—AN ACT relating to elections; eliminating the deadline for registering to vote in an election; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 109—AN ACT relating to secured transactions; enacting the amendments to Article 9 of the Uniform Commercial Code; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 110—AN ACT relating to public welfare; requiring the Department of Health and Human Services to establish and administer the Kinship Guardianship Assistance Program; requiring the Department to include in certain state plans provisions relating to the Program; authorizing agencies which provide child welfare services to enter into agreements to

provide assistance under the Program; prescribing the requirements for receiving assistance pursuant to the Program; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 111—AN ACT relating to domestic relations; authorizing certain prospective adoptive parents to attend by telephone hearings concerning a petition for adoption; revising the residency requirements for certain adoptions; revising provisions relating to the hearing required for determining whether to include in a decree of adoption rights to visitation with siblings; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 112—AN ACT relating to crimes; revising the offenses punishable as conspiracy to include certain crimes relating to trafficking in persons, pandering a child and soliciting a child for prostitution; enhancing the punishment for certain acts relating to living from the earnings of a prostitute; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 113—AN ACT relating to education; revising the contents of the plan to improve the academic achievement of pupils prepared by the State Board of Education to require a 5-year strategic plan; revising the dates on which determinations must be made whether public schools and school districts are making adequate yearly progress; revising various other dates for the preparation and submission of reports and plans relating to the statewide system of accountability for public schools; requiring the Department of Education to revise the testing schedule for the administration of the criterion-referenced examinations in grades 3 through 8; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 114—AN ACT relating to water; revising the amount of the fee for issuing and recording a permit to change the point of diversion or place of use only of an existing water right for irrigational purposes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 115—AN ACT relating to water; revising provisions governing the approval or rejection by the State Engineer of an application to appropriate water for beneficial use; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 116—AN ACT relating to educational personnel; requiring the governing body of a charter school to provide to a school district the employment record of an employee who was granted a leave of absence from the school district under certain circumstances; revising the designations of the overall performance of teachers and administrators required by the policies for evaluations of each school district; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 117—AN ACT relating to education; authorizing the board of trustees of a school district and the governing body of a charter school to request a waiver from the required minimum number of school days in a school year during an economic hardship; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Stewart:

Assembly Bill No. 118—AN ACT relating to cruelty to animals; requiring an animal abuser who resides in this State for more than a certain period to register with the sheriff of the county in which he or she resides; requiring an

animal abuser who registers with the sheriff to provide certain information to the sheriff; requiring the sheriff to establish and maintain a local animal abuser registry; requiring the Department of Public Safety to establish and maintain a statewide animal abuser registry; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Horne:

Assembly Bill No. 119—AN ACT relating to liens; establishing a lien for health care services on certain judgments and settlements; setting forth the requirements for enforcing such a lien against certain persons; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Horne:

Assembly Bill No. 120—AN ACT relating to motor vehicles; increasing the amount of coverage that is required for certain policies of liability insurance for motor vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 121—AN ACT relating to courts; revising certain provisions relating to the security of court facilities; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Livermore:

Assembly Bill No. 122—AN ACT relating to energy; authorizing the imposition of certain reasonable restrictions or requirements relating to systems for obtaining wind and solar energy; and providing other matters properly relating thereto.

Assemblyman Conklin 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. 123—AN ACT relating to public health; requiring facilities for intermediate care, facilities for skilled nursing, residential facilities for groups and homes for individual residential care to provide itemized statements under certain circumstances; requiring the Health Division of the Department of Health and Human Services to conduct routine inspections of such facilities; requiring the Health Division to provide notices of deficiencies to patients or other responsible persons upon discovering a deficiency during an inspection of such facilities; providing administrative penalties; and providing other matters properly relating thereto.

Assemblyman Conklin 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. 124—AN ACT relating to funeral directors; requiring a funeral director who obtains possession of the unclaimed human remains of a deceased person whom the funeral director knows, has reason to know or reasonably believes is a veteran to report the name of the deceased person to the Office of Veterans' Services; requiring the Office to determine whether certain deceased persons are veterans who are eligible for interment at a national or veterans' cemetery; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 125—AN ACT relating to criminal records; revising the crimes against older persons that are required to be reported to the Repository for Information Concerning Crimes Against Older Persons; requiring that certain information be included in the record maintained by the Repository; requiring the annual reporting of statistical data concerning such crimes to the Legislature; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 126—AN ACT relating to vulnerable persons; authorizing the Unit for the Investigation and Prosecution of Crimes Against Older Persons in the Office of the Attorney General to investigate and



prosecute any alleged abuse, neglect, exploitation or isolation of a vulnerable person; revising the name of the Unit to include vulnerable persons; requiring the Unit to organize or sponsor multidisciplinary teams; requiring members and agencies of local government to assist the Attorney General in carrying out the duties of the multidisciplinary teams; providing a civil penalty; requiring certain reports to be forwarded to the Unit; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Ocegueda:

Assembly Bill No. 127—AN ACT relating to the Legislature; eliminating the requirement for compiling sets of books of legislative measures and related materials; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Assemblyman Aizley:

Assembly Bill No. 128—AN ACT relating to smoking; prohibiting the smoking of tobacco on the property of the Nevada System of Higher Education; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Kirner:

Assembly Bill No. 129—AN ACT relating to education; repealing the statutory requirements for the reduction of pupil-teacher ratios in certain grades; authorizing the board of trustees of a school district to establish pupil-teacher ratios for the elementary schools within the school district; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

#### MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 7, 2011

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 1.

Also, 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.  
Read first time.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Conklin moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bill No. 1 considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Conklin.  
Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 1.  
Bill read third time.  
Remarks by Assemblyman Conklin.  
Roll call on Senate Bill No. 1:  
YEAS—41.  
NAYS—None.  
EXCUSED—Hogan.

Senate Bill No. 1 having received a constitutional majority, Mr. 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 Sari Aizley, Matthew Dillingham, and Elizabeth Dillingham.

On request of Assemblyman Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Matt Dickson, Louise Seidel, Rosa Mendoza, Jill Derby, Cynthia Trigg, Edward Anderson, Pamela Gustafson, and Hannah Weissert.

On request of Assemblyman Atkinson, the privilege of the floor of the Assembly Chamber for this day was extended to Mary Atkinson, Haley Atkinson, De-sha Hill, Delano Sharp, Bernice Atkinson, Kay Atkinson, Godist Corhn, Tawdra Heath, Julious Heath, and Shardi Drew.

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Jeff Thompson, Lilly Benitez-Thompson, Eli Benitez-Thompson, Danny Kane, Mari Cork, Phil Howard, Jim Robertson, and Eileen Drenske.

On request of Assemblyman Bobzien, the privilege of the floor of the Assembly Chamber for this day was extended to Lisa Kornze, Stephanie Itza, Carrie Sandstedt, Luca Kornze Bobzien, and Finnegan Kornze Bobzien.

On request of Assemblyman Brooks, the privilege of the floor of the Assembly Chamber for this day was extended to Roxanne Brooks, Ada Brooks, Kevin Brooks, Renee Cato, Robin Carter, and Ricki Barlow.

On request of Assemblywoman Bustamante Adams, the privilege of the floor of the Assembly Chamber for this day was extended to Diana Bustamante, Ferello Croker, James Brad Adams, Olivia Brown, Alaina Brown, Diane Bustamante, and Ferello Croker.

On request of Assemblywoman Carlton, the privilege of the floor of the Assembly Chamber for this day was extended to Merritt Carlton.

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

On request of Assemblyman Conklin, the privilege of the floor of the Assembly Chamber for this day was extended to Carl Conklin, Anita Conklin, Debbie Conklin, Carl Conklin Junior, and Carol Conklin.

On request of Assemblyman Daly, the privilege of the floor of the Assembly Chamber for this day was extended to Lisa Daly, Sara Daly, and Brian Daly.

On request of Assemblywoman Diaz, the privilege of the floor of the Assembly Chamber for this day was extended to Alejandro Diaz, Nydia Diaz, Marisa Diaz, Adela Colmenares, Martin Colmenares, Gabriel Colmenares, Alma Guzman, Melissa N. Hearon, Elsa Patterson, Theresa Ramirez, Maria Cruz Gonzalez-Alejandre, Frank Alejandre, Frank Gonzalez, Gilberto Diaz, and Alejandra Diaz.

On request of Assemblywoman Dondero Loop, the privilege of the floor of the Assembly Chamber for this day was extended to Mike Dondero, Christopher Dondero, Mary Ann Dondero, Judy Habbeshaw, Joan Partier, Bill Partier, Thalia Dondero, Amy Loop, Elise Dondero, Anna Dondero, and Rob Dondero.

On request of Assemblyman Ellison, the privilege of the floor of the Assembly Chamber for this day was extended to Cindy Ellison, Ann Ellison, and Michelle Mosley.

On request of Assemblywoman Flores, the privilege of the floor of the Assembly Chamber for this day was extended to Vivian Flores, Alexis Flores, Edwin Gutierrez, and Juan Ortega.

On request of Assemblyman Frierson, the privilege of the floor of the Assembly Chamber for this day was extended to Nathalia Frierson, Abigail Parolise, Vida Lin, and Duy Nguyen.

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

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to Tina Cordes, Sean Cordes, Taylen Cordes, Cady Cordes, Tami Harmon, Paul Harmon, Jace Harmon, Addyson Harmon, Tim Grady, Pat Grady, Tanya Grady, Mackie Grady, and Maddie Grady.

On request of Assemblyman Hambrick, the privilege of the floor of the Assembly Chamber for this day was extended to Nancy Hambrick, Laura Sullivan, John Hambrick, Ted Weiss, Meghan Engstran, Mark Sullivan, and Claudia Engstran.

On request of Assemblyman Hammond, the privilege of the floor of the Assembly Chamber for this day was extended to Tonya Hammond, Tomas Hammond, Olivia Hammond, and Sofia Hammond.

On request of Assemblyman Hansen, the privilege of the floor of the Assembly Chamber for this day was extended to Alexis Hansen, Larissa Hansen, Sharon Hansen, and Mallory Hansen.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Peri Hardy, Kagen Hardy, Anthony Ribaud, and Westin Burton.

On request of Assemblyman Hickey, the privilege of the floor of the Assembly Chamber for this day was extended to Shin Hickey, George Hickey, Johnmin Hickey, Daemin Hickey, and Mary Merry.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Chloe Horne, William Henry Horne, and Kayla Fields.

On request of Assemblywoman Kirkpatrick, the privilege of the floor of the Assembly Chamber for this day was extended to Mike Kirkpatrick.

On request of Assemblyman Kirner, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Peggy Kirner, Lexie Mikesell, Braden Mikesell, Jim Kirner, Kim Kirner, Macie Kirner, Karen Pike, and David Pike.

On request of Assemblyman Kite, the privilege of the floor of the Assembly Chamber for this day was extended to Doug Sonneman, Cathie Kite, Denise Berumen, Dianna Hennessey, Robert Schultz, and Nickolas Hennessey.

On request of Assemblyman Livermore, the privilege of the floor of the Assembly Chamber for this day was extended to Laurie Livermore, Wendy Livermore, Bill Fletcher, and Sherry Fletcher.

On request of Assemblywoman Mastroluca, the privilege of the floor of the Assembly Chamber for this day was extended to Mitzi Nelson, Linda Whimple, Dan Mastroluca, Kelsey Mastroluca, Nick Mastroluca, Rodger Podlogar, and Joanne Podlogar.

On request of Assemblywoman Neal, the privilege of the floor of the Assembly Chamber for this day was extended to Senator Joe Neal, Alexandra Neal, Tuwaski Neal, Withania Neal, Alphonse Neal, Christian Neal, Doctor Tania Edwards, Doctor Dothel Edwards, Jonah Edwards, and Linda Fontenote.

On request of Assemblyman Ocegueda, the privilege of the floor of the Assembly Chamber for this day was extended to Eileen Montgomery, Janie Ocegueda, Jackson Ocegueda, and Margaret Stefenoni; and the following faculty and students from Coral Science Academy: Ron Bonomo, Yilmaz Ak, Rita Long, Cynthia Marson, William Kelley, Nate Aguera, Robin Leverett, Leonardo Moreno-Gonzales, Vanessa Chacon, Melanie Brown, Grant Lopez, Brandon Garcia, Paris Price, Paige Martinez, Faith Price, Angeline Mallori, Verdene Johnson, Torry Hinder, Clara Buck, Paul Buck, Murat Erarslan, Sam Crabtree, and Bryn Taylor.

On request of Assemblyman Ohrenschall, the privilege of the floor of the Assembly Chamber was for this day extended to John Ohrenschall and Jamie Stetson.

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

On request of Assemblyman Sherwood, the privilege of the floor of the Assembly Chamber for this day was extended to Audrey Sherwood, Glen Sherwood, Paige Sherwood, Garrett Sherwood, and Brynn Sherwood.

On request of Assemblywoman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to Greg Smith, Louise Smith, Jonny Lester, Olivia Bouch, David Bouch, Erin Smith, David Marlon, Ian Smith, Yuuko Okudaira, Craig Hulse, and Steve Ingersoll.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Dianne Stewart, Sara Menke, Katherine Schnoor, and Keith Pickard.

Assemblyman Conklin moved that the Assembly adjourn until Wednesday, February 9, 2011, at 11 a.m.

Motion carried.

Assembly adjourned at 3:12 p.m.

Approved:

JOHN OCEGUERA  
*Speaker of the Assembly*

Attest: SUSAN FURLONG

*Chief Clerk of the Assembly*