

THE FORTIETH DAY

CARSON CITY (Friday), March 18, 2011

Assembly called to order at 11:15 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Brooks and Munford, who were excused.

Prayer by the Chaplain, Reverend Norm Milz.

Almighty God and Father, You have given us a new day in which to serve You and the citizens of the state of Nevada. Guide and lead us so that plans and proposed bills be advanced for the health and well-being of the constituents that elected us to fulfill this important role.

As the deadline for introduction of bills rapidly approaches, we pray for Your gifts of wisdom, patience, and good conscience that the work we do together may be done well and for the good of all. Keep us from making quick decisions because of time that will cause difficulty for the citizens and those who work for this state and its agencies.

Guide our discussions in committee and the Assembly that we may be kind, gentle, and forgiving to each other, especially those who are not in agreement with our positions.

Once again, we come to You asking for Your help and assistance to the brave people of Japan as they work at trying to keep their citizens safe in the midst of a seemingly impossible situation. We also pray that as the radioactive cloud from the damaged reactors reaches our shore today, that the assessment of the experts may prove correct and our citizens will not be affected negatively.

All these things we bring to You trusting in Your love, grace, and mercy, in the name of Your Son, Jesus Christ.

AMEN.

Pledge of allegiance to the Flag.

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

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 17, 2011

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 12, 35, 225.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 4.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Sherwood, Goedhart, Hambrick, Ellison, Goicoechea, Hammond, Hardy, Hickey, Kirner, Kite, Livermore, McArthur, and Stewart; Senators Gustavson, Halseth, Kieckhefer, and Settelmeyer:

Assembly Bill No. 310—AN ACT relating to voting; requiring each person who registers to vote by mail to present certain forms of identification before voting regardless of whether he or she has previously voted in an election for a federal office in this State; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Hardy, Sherwood, Hansen, and Munford; Senators Cegavske, Gustavson, and Halseth:

Assembly Bill No. 311—AN ACT relating to elections; eliminating early voting in elections; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Hardy, Kite, Sherwood, Ellison, Goicoechea, Grady, Hammond, Hansen, Livermore, McArthur, Stewart, and Woodbury; Senators Hardy, Cegavske, Rhoads, and Settelmeyer:

Assembly Bill No. 312—AN ACT relating to public works; clarifying the definition of an “offense”; clarifying that the Labor Commissioner may impose an administrative penalty against a person for the commission of an offense; revising provisions relating to the payment of prevailing wages on public works; revising the manner in which the Labor Commissioner is required to determine prevailing wage rates; providing that collusion to affect the outcome of a prevailing wage survey is an unfair trade practice; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Bustamante Adams, Bobzien, Anderson, and Horne:

Assembly Bill No. 313—AN ACT relating to child custody; providing for the expiration by operation of law of certain orders modifying custody and visitation of children for persons who are members of the military; authorizing a court to delegate the visitation rights of a member of the military to a family member of the member of the military under certain circumstances; requiring a court, under certain circumstances, to provide an

expedited hearing concerning custody or visitation matters to allow participation in such a hearing by affidavit or electronic means, or to both hold an expedited hearing and allow such participation; and providing other matters properly relating thereto.

Assemblywoman Bustamante Adams moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman Bobzien and Senator Leslie:

Assembly Bill No. 314—AN ACT relating to education; revising provisions governing a course of instruction on sexual education; requiring the Council to Establish Academic Standards for Public Schools to include sexual education in the standards for a course of study in health; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Woodbury, Sherwood, Hardy, Hammond, Smith, Carlton, Carrillo, Conklin, Daly, Ellison, Flores, Grady, Hambrick, Horne, Kirkpatrick, Livermore, Mastroluca, McArthur, Munford, Ocegüera, Ohrenschall, and Stewart; Senators Leslie, Rhoads, Parks, Hardy, Schneider, Breeden, Gustavson, Horsford, Kieckhefer, Kihuen, Manendo, and Settlemeyer:

Assembly Bill No. 315—AN ACT relating to autism; establishing the Autism Treatment Assistance Program within the Aging and Disability Services Division of the Department of Health and Human Services as the primary autism program within the Department; requiring certain state agencies that provide services to persons with autism to refer and coordinate services with the Program; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Woodbury, Ohrenschall, Carrillo, Sherwood, Carlton, Bobzien, Conklin, Daly, Diaz, Ellison, Flores, Grady, Hambrick, Hammond, Hansen, Hardy, Horne, Kirkpatrick, Livermore, Mastroluca, McArthur, Munford, Ocegüera, Pierce, Smith, and Stewart; Senators Leslie, Kieckhefer, Hardy, Manendo, Schneider, Breeden, Cegavske, Copening, Gustavson, Halseth, Horsford, Kihuen, Parks, Rhoads, and Settlemeyer:

Assembly Bill No. 316—AN ACT relating to persons with disabilities; requiring the Aging and Disability Services Division of the Department of

Health and Human Services to designate a standard protocol for the assessment and evaluation of persons with autism who receive services through certain public programs; requiring certain state and local governmental agencies that provide services to persons with autism to submit reports to the Division; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Segerblom:

Assembly Bill No. 317—AN ACT relating to civil actions; revising provisions relating to the submission of certain claims relating to residential property for mediation or arbitration; revising procedures relating to mediation or arbitration of such claims; revising the qualifications required for inclusion by the Real Estate Division of the Department of Business and Industry on a list of mediators and arbitrators available for mediation and arbitration of such claims; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywomen Mastroluca and Smith:

Assembly Bill No. 318—AN ACT relating to education; placing the burden of proof and the burden of production on a school district in a due process hearing held pursuant to the Individuals with Disabilities Education Act in which the school district is a party; and providing other matters properly relating thereto.

Assemblywoman Mastroluca moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblywoman Diaz:

Assembly Bill No. 319—AN ACT relating to dead bodies; authorizing certain persons who assume legal and final responsibility for the final disposition of the human remains of a deceased person to order the burial of those human remains; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Hambrick:

Assembly Bill No. 320—AN ACT relating to coroners; making certain provisions governing mandatory investigations and inquests by coroners

applicable in all counties; requiring a coroner to notify the district attorney to investigate any death reasonably believed to be caused by a peace officer under certain circumstances; repealing provisions which entitle a justice of the peace to a daily fee for holding an inquest; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Oceguera, Anderson, Kirkpatrick, Atkinson, Hambrick, Aizley, Benitez-Thompson, Bobzien, Bustamante Adams, Carrillo, Conklin, Daly, Diaz, Dondero Loop, Ellison, Flores, Frierson, Goedhart, Goicoechea, Grady, Hammond, Hansen, Hardy, Hickey, Hogan, Horne, Kirner, Kite, Livermore, McArthur, Munford, Neal, Ohrenschall, Segerblom, Sherwood, Smith, Stewart, and Woodbury; Senators Hardy, Gustavson, Horsford, and Lee:

Assembly Bill No. 321—AN ACT relating to the use of force; revising the provisions governing justifiable homicide; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Smith, Oceguera, Bobzien, Conklin, and Goicoechea:

Assembly Bill No. 322—AN ACT relating to wildlife; revising the membership of the Board of Wildlife Commissioners to include one member who possesses experience and expertise in advocating issues relating to conservation; revising the circumstances under which the Director of the Department of Wildlife is appointed; revising the provisions governing a program for the issuance of certain additional big game tags each year; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 12.

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

Motion carried.

Senate Bill No. 35.

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

Motion carried.

Senate Bill No. 225.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 5.

Bill read second time and ordered to third reading.

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

Assembly in recess at 11:33 a.m.

ASSEMBLY IN SESSION

At 11:45 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 4.

Assemblyman Conklin moved the adoption of the resolution.

Remarks by Assemblyman Conklin.

Conflict of interest declared by Assemblywoman Woodbury.

Potential conflict of interest declared by Assemblyman Anderson.

Resolution adopted.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bobzien, the privilege of the floor of the Assembly Chamber for this day was extended to Myra Velasco, Katie Welling, Ginny Hull, and Patti Sanford.

On request of Assemblyman Daly, the privilege of the floor of the Assembly Chamber for this day was extended to the following students and chaperones from Mariposa Academy: Jennifer Alvarez Diaz, Jose A. Anguiano Santiago, Juan Carlos A. Barajas, Brandi A. Cervantes Alvarado, Edna A. Cervantes Alvarado, Karime A. Cervantes Alvarado, Gerardo M. Chavez Rodriguez, Michelle L. Correa-Martinez, Angel Delatrinidad, Edson A. Escobedo, Brandon G. Espin, Bryan A. Espin Maldonado, Matthew R. Haigh, Gustavo A. Juarez Castro, Vairon Y. Marmolejo, Alexander Marquez Martinez, Kassandra Marquez-Suarez, Alina T. Martinez, Benjamin A. Martinez, Shai Mendoza-Osorio, Carlos Ramirez Solorio, Diego B. Sanchez, Gabriel F. Soto, Matthew A. Soto, Katie Torres Morales, Diana E. Vazquez, Emily E. Vega, Ramon Velasquez Gonzalez, Jesus Alvarez Gonzalez,

Miguel A. Alvarez Victorio, Michelle Ayala Ayala, Abraham Ayala Mora, Kevin B Canales, Brandon A. Castaneda Soto, Luis J. Chavez Pintor, Axcel E. Escobedo, Victor M. Garcia, Jose A. Garcia Muniz, Ezequiel Garcia Rodriguez, Alejandro Juarez, Emely M. Martinez, Fidel Moctezuma De La Riva, Alexis O. Perez Vargas, Luis G. Plascencia-Contreras, Norberto Quintana, Jr., Manuel A. Roman, Kimberly Rosas, Karen M. Salazar, and Lytzy Z. Vazquez.

On request of Assemblyman Hickey, the privilege of the floor of the Assembly Chamber for this day was extended to Candace Meyer and Ellyn Bagley.

On request of Assemblywoman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to Caryn Solie, Lancette Van Guilder, and Noah Van Guilder.

Assemblyman Conklin moved that the Assembly adjourn until Monday, March 21, 2011, at 11 a.m.

Motion carried.

Assembly adjourned at 11:51 a.m.

Approved:

JOHN OCEGUERA
Speaker of the Assembly

Attest: SUSAN FURLONG

Chief Clerk of the Assembly