

THE FORTY-THIRD DAY

CARSON CITY (Monday), March 21, 2011

Assembly called to order at 11:25 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Louie Locke.

Lord, as we gather today, we give You thanks and praise, for You are good, and Your mercies are new every morning.

Scripture from the book of Micah says, "He has shown you, O Man, what is good; and what does the Lord require of you but to do justly, to love mercy, and to walk humbly with your God."

May these qualities shape our lives as we walk with You: justice, mercy, and humility.

Lord, please bless the men and women of this Assembly, their families and staff, and protect our military as they serve our nation. This I pray in the Name of the Most High God.

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 18, 2011

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 43.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 31, 32.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Anderson:

Assembly Concurrent Resolution No. 5—Directing the Legislative Commission to conduct an interim study on desalination and industrial water resources in this State.

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

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

Assembly in recess at 11:29 a.m.

ASSEMBLY IN SESSION

At 11:31 a.m.

Mr. Speaker presiding.

Quorum present.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Conklin and Atkinson:

Assembly Bill No. 323—AN ACT relating to consumer fraud; requiring the Director of the Department of Business and Industry to establish and maintain an Internet website to provide information concerning consumer fraud in this State; requiring various state entities to provide information to the Director for inclusion on the Internet website; requiring biennial reporting concerning the Internet website; 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 Hambrick:

Assembly Bill No. 324—AN ACT relating to crimes; revising provisions governing the basis and procedure for determining whether a dog is dangerous or vicious; 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. 325—AN ACT relating to commerce; revising provisions governing the jurisdiction and control over items manufactured or produced within 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 Assemblyman Hambrick:

Assembly Bill No. 326—AN ACT relating to juvenile delinquents; revising the manner in which certain children who are adjudicated delinquent for certain acts are required to register as a juvenile sex offender; requiring the Attorney General to establish guidelines and procedures for community notification concerning juvenile sex offenders; revising which juvenile sex offenders may be subject to registration and community notification in the manner provided for adult sex offenders; requiring the juvenile court to retain jurisdiction over all children who are subject to registration and community notification as sex offenders and to determine when such children may be relieved of such requirements; 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. 327—AN ACT relating to elections; requiring photographic identification for voting; requiring county clerks to issue voter identification cards under certain circumstances; requiring persons who apply for absent ballots to provide certain information to county and city clerks; eliminating early voting in elections; 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 Assemblywoman Benitez-Thompson:

Assembly Bill No. 328—AN ACT relating to motor vehicles; providing an enhanced penalty for motorists who seriously injure or cause the death of a vulnerable highway user; revising provisions related to the duties required of a person involved in a serious accident involving a vehicle; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Goicoechea, Bobzien, Smith, and Grady:

Assembly Bill No. 329—AN ACT relating to water; defining the term “wildlife” for certain provisions of law relating to water; 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 Ocegueda:

Assembly Bill No. 330—AN ACT relating to government contracts; declaring privatization contracts to be public records; requiring governmental entities to submit certain information to the Chief of the Budget Division of the Department of Administration relating to the use of privatization contracts; requiring state agencies and local governments to include certain information relating to privatization contracts in the tentative budget of the state agency or local government; 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 Assemblymen Conklin, Kirkpatrick, and Smith:

Assembly Bill No. 331—AN ACT relating to employment; prohibiting a person from procuring a consumer report for purposes relating to employment except under certain circumstances; revising provisions relating to the release of a consumer report that is subject to a security freeze; providing civil remedies; 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 Assemblymen Conklin, Kirkpatrick, and Smith:

Assembly Bill No. 332—AN ACT relating to state financial administration; requiring the Economic Forum to hold at least one regular meeting during each calendar quarter; providing for a member of the Economic Forum to be considered present at a meeting of the Economic Forum if the member is participating in the meeting by telephone or video conference; amending certain reporting requirements of the Economic Forum; authorizing the Chair of the Economic Forum to limit certain deliberations of the Economic Forum; authorizing the Chair of the Economic Forum to request certain information and testimony; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Pierce and Hogan:

Assembly Bill No. 333—AN ACT relating to taxation; increasing the taxes imposed on intoxicating liquor, cigarettes and other tobacco products; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Pierce:

Assembly Bill No. 334—AN ACT relating to state financial administration; exempting from the limitation on the proposed expenditures of the Executive Department of the State Government any expenditures for the purpose of satisfying an unfunded federal mandate; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Pierce and Hogan:

Assembly Bill No. 335—AN ACT relating to state financial administration; providing for the imposition, administration, collection and enforcement of an excise tax on the use of certain services in this State; extending the prospective expiration of certain requirements regarding the imposition, advance payment and allocation of certain taxes and fees; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Pierce and Hogan:

Assembly Bill No. 336—AN ACT relating to taxation; providing for the imposition, administration, collection and enforcement of a tax on certain income of business entities engaged in business in this State; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Daly:

Assembly Bill No. 337—AN ACT relating to campaign practices; requiring a notice of an alleged violation of provisions governing campaign practices to include certain information; requiring the Secretary of State to provide a copy of the notice and any accompanying information to the person alleged in the notice to have committed the violation; authorizing the person

to respond within a certain period; authorizing the Secretary of State or a designated officer or employee of the Secretary of State to subpoena witnesses and require the production of documents or records by subpoena when conducting certain investigations relating to campaign practices; 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. 338—AN ACT relating to public employees; requiring that certain procedures be followed before making a personnel decision that adversely affects a public employee; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Ellison, Goicoechea, and Grady:

Assembly Bill No. 339—AN ACT relating to controlled substances; requiring the State Board of Pharmacy to include certain substances known as synthetic marijuana on the list of schedule I controlled substances; providing criminal and civil 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 Ellison:

Assembly Bill No. 340—AN ACT relating to occupational safety; revising provisions governing the assessment of administrative fines by the Division of Industrial Relations of the Department of Business and Industry for violations of the Nevada Occupational Safety and Health Act; exempting certain persons from certain requirements relating to mandatory safety and health hazard training; 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 Ellison:

Assembly Bill No. 341—AN ACT relating to motor vehicles; revising provisions relating to the offense of speeding; providing that violations of certain provisions prohibiting speeding are subject only to a fine; prohibiting the recording of certain violations on a driver's record; prohibiting an insurer

from imposing an increase in rates or cancelling or refusing to renew a policy of motor vehicle insurance for such a violation; prohibiting a local authority from enacting an ordinance that provides a penalty for a speeding violation which is greater than the penalty provided by statute; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Aizley:

Assembly Bill No. 342—AN ACT relating to governmental administration; authorizing in certain circumstances the State or a local government to publish a legal notice or advertisement on the official website of the State or local government in lieu of publishing the legal notice or legal advertisement in a newspaper; 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 Aizley:

Assembly Bill No. 343—AN ACT relating to taxation; reducing the amount of the governmental services taxes imposed on certain older motor vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Aizley:

Assembly Bill No. 344—AN ACT relating to criminal procedure; revising the offenses for which a defendant convicted of a crime must provide a biological specimen; authorizing persons convicted of those offenses to petition the court for postconviction genetic marker analysis; requiring the destruction of a biological specimen 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 Assemblymen Ohrenschall, Conklin, Carlton, Ocegüera, Smith, Aizley, Anderson, Atkinson, Benitez-Thompson, Bobzien, Bustamante Adams, Carrillo, Daly, Diaz, Dondero Loop, Flores, Frierson, Hogan, Horne, Kirkpatrick, Livermore, Mastroluca, Munford, Neal, Pierce, Segerblom, and

Stewart; Senators Schneider, Leslie, Horsford, Lee, Rhoads, Breeden, Hardy, Kieckhefer, Kihuen, Manendo, Parks, and Wiener:

Assembly Bill No. 345—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; making an appropriation to the Program for the provision of services to certain children with autism; 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 Assemblymen Ohrenschall, Segerblom, Sherwood, Aizley, Carrillo, Diaz, Ellison, Flores, Hambrick, Hansen, Hardy, Hickey, Hogan, Kirner, McArthur, and Pierce; Senators Gustavson and Roberson:

Assembly Bill No. 346—AN ACT relating to real property; providing for a cause of action against a public agency which delays certain actions after adopting a resolution of intent to exercise eminent domain; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Ohrenschall, Hansen, Munford, Aizley, Daly, and Livermore:

Assembly Bill No. 347—AN ACT relating to wildlife; requiring the Department of Wildlife to make certain tags for hunting deer available annually; providing for the application for and issuance of those tags; establishing the fees that must be charged for the issuance of those tags; providing for the disposition of money collected from fees charged for the issuance of those tags; 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 Assemblymen Ohrenschall, Sherwood, Munford, Aizley, Carlton, Carrillo, Daly, Diaz, Flores, Hansen, Hardy, Hickey, Kite, Pierce, and Segerblom:

Assembly Bill No. 348—AN ACT relating to estates; repealing provisions governing the apportionment of federal transfer taxes upon the death of a person; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Mastroluca:

Assembly Bill No. 349—AN ACT relating to controlled substances; authorizing the Director of the Department of Health and Human Services to order the State Board of Pharmacy to adopt an extraordinary regulation to temporarily include a substance on the list of schedule I controlled substances under certain circumstances; requiring the Board to adopt an extraordinary regulation to temporarily include certain substances known as fake cocaine on the list of schedule I controlled substances; providing civil and criminal 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 Assemblywoman Mastroluca:

Assembly Bill No. 350—AN ACT relating to protection of children; requiring a court that orders a child to be placed with someone other than a parent to retain jurisdiction over the child after the child reaches the age of 18 years in certain circumstances; requiring an agency which provides child welfare services to continue to provide services to such a child while the child remains under the jurisdiction of the court; requiring the agency which provides child welfare services and such a child to enter into a written agreement; requiring the agency which provides child welfare services to develop a plan for such a child to assist the child in transitioning to independent living; revising various provisions relating to a child placed with someone other than a parent to clarify the application of those provisions to persons who remain in foster care beyond the age of 18 years; revising provisions governing the placement of children who are taken into protective custody or placed with someone other than a parent; 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:

Assembly Bill No. 351—AN ACT relating to motor carriers; authorizing operators of taxicabs and operators of limousines to accept credit cards and debit cards for payment of rates, fares and charges; authorizing the prescribing of maximum fees that may be charged to customers of taxicabs and limousines for the convenience of payment by a credit card or debit card; prohibiting issuers of credit cards and debit cards in this State from prohibiting the collection of the convenience fees; 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 Assemblywoman Carlton:

Assembly Bill No. 352—AN ACT relating to trade practices; providing that certain persons may bring a civil action for various deceptive trade practices or other violations; providing that various actions related to certain persons with an inability to reasonably protect their rights or interests constitute a deceptive trade practice; allowing equitable relief for certain actions related to consumer fraud; 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. 353—AN ACT relating to court reporting; prohibiting a court reporter or court reporting firm from charging more than a certain amount per page for copies of a transcript under certain circumstances; providing an exception; 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 Assemblyman Segerblom:

Assembly Bill No. 354—AN ACT relating to the State Personnel System; providing for the final adjustment of certain grievances by an arbitrator; abolishing the Employee-Management Committee; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Frierson, Horne, Segerblom, Carrillo, Diaz, and Brooks:

Assembly Bill No. 355—AN ACT relating to victims of crime; clarifying that money remaining in the Fund for the Compensation of Victims of Crime at the end of each fiscal year does not revert to the State General Fund; 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. 356—AN ACT relating to juvenile delinquents; revising the manner in which certain children who are adjudicated delinquent for certain acts are required to register as a juvenile sex offender; requiring the Attorney General to establish guidelines and procedures for community notification concerning juvenile sex offenders; revising which juvenile sex offenders may be subject to registration and community notification in the manner provided for adult sex offenders; requiring the juvenile court to retain jurisdiction over all children who are subject to registration and community notification as sex offenders and to determine when such children may be relieved of such requirements; 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 Assemblymen Goicoechea and Grady; Senators Rhoads and Settlemeyer:

Assembly Bill No. 357—AN ACT relating to the Nevada System of Higher Education; limiting the use of certain property or the proceeds of certain property by the Board of Regents of the University of Nevada; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Bobzien:

Assembly Bill No. 358—AN ACT relating to manufactured buildings; requiring the Administrator of the Manufactured Housing Division of the Department of Business and Industry to adopt regulations prescribing certain safety standards with respect to portable buildings; 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 Assemblymen Goicoechea and Grady; Senator Settlemeyer:

Assembly Bill No. 359—AN ACT relating to energy; revising the categories of uses, capacity goals and prospective expiration of the Waterpower Energy Systems Demonstration Program; revising provisions governing net metering for waterpower energy systems; providing that systems which generate electricity from the recovery of waste heat from a qualified energy recovery process may qualify for net metering under certain

circumstances; increasing the cumulative capacity requirement for net metering systems; 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 Bobzien:

Assembly Bill No. 360—AN ACT relating to cities; authorizing a city to collect civil penalties imposed for failure to abate certain conditions and nuisances on property within the city as a special assessment against the property under certain circumstances; revising provisions relating to the maximum amount of a civil penalty that may be imposed for failure to abate certain nuisances on property within the city 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 Assemblywoman Neal:

Assembly Bill No. 361—AN ACT relating to public works; revising provisions relating to preferences in bidding on a contract for a public work for which the estimated cost is \$100,000 or less; requiring a person who is awarded a contract for a public work to gather and report to the public body which awards the contract certain information concerning the applicants for employment on the public work; requiring a public body which awards a contract for a public work to gather and report to the State Public Works Board certain information concerning the bidders for the contract; requiring the State Public Works Board to gather and maintain certain information concerning public works reported to it by various public bodies; requiring the State Public Works Board to report to the Attorney General certain information concerning public works reported to it by various public bodies; requiring the Attorney General to determine when sufficient information exists to support certain preferences in bidding on a public work and to notify the Governor of such determination; requiring the Governor to issue a proclamation indicating that sufficient information exists to support certain preferences in bidding on a public work upon notice from the Attorney General; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Diaz, Carrillo, Frierson, Dondero Loop, Sherwood, Aizley, Atkinson, Benitez-Thompson, Bobzien, Bustamante Adams, Daly, Flores, Horne, Kirkpatrick, Neal, Ohrenschall, Pierce, Segerblom, and Smith:

Assembly Bill No. 362—AN ACT relating to education; establishing the Interim Task Force on Out-of-School-Time Programs; requiring the Task Force to prescribe standards for out-of-school-time programs and to make certain recommendations relating to out-of-school-time programs; exempting an out-of-school-time program from licensure and regulation as a child care facility; authorizing an out-of-school-time program to report certain information to the Bureau of Services for Child Care of the Division of Child and Family Services of the Department of Health and Human Services; 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 Ellison:

Assembly Bill No. 363—AN ACT relating to manufactured housing; authorizing a city or county building department to enforce regulations and conduct inspections with respect to the installation and tie down of manufactured homes, mobile homes and commercial coaches without obtaining written approval from the Manufactured Housing Division of the Department of Business and Industry; requiring a city or county building department to provide certain notices to the Division; authorizing a licensed contractor to perform any work on a mobile home, manufactured home, manufactured building, commercial coach or factory-built housing that is within the scope of his or her contractor's license issued by the State Contractors' Board; exempting a contractor from provisions governing licensure by the Manufactured Housing Division 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 Assemblywoman Bustamante Adams:

Assembly Bill No. 364—AN ACT relating to public employees; providing for civil leave with reduced pay for a public officer or employee of the State or of a political subdivision of the State for active military service or similar service in 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 Assemblymen Kirner and Hickey:

Assembly Bill No. 365—AN ACT relating to the Public Employees' Benefits Program; revising the procedure for the Board of the Public Employees' Benefits Program to contract with a vendor; authorizing the Board to appoint an attorney who specializes in health plans and health care law; eliminating the requirement that the Commissioner of Insurance approve certain contracts entered into by the Board; making various changes concerning the Executive Officer of the Board; revising provisions governing the authority for certain groups to leave 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 Assemblyman Munford:

Assembly Bill No. 366—AN ACT relating to education; revising provisions governing eligibility for a Governor Guinn Millennium Scholarship; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Hansen:

Assembly Bill No. 367—AN ACT relating to education; authorizing certain parents and legal guardians to submit a petition to the board of trustees of a school district to implement intervention actions at a public school that is designated as demonstrating need for improvement; requiring the board of trustees of a school district that receives a petition signed by a certain percentage of parents and legal guardians to implement the intervention actions within a prescribed time; revising provisions governing the apportionment of money from the State Distributive School Account and the count of pupils for the purposes of basic support to provide for the payment of vouchers for certain pupils to attend certain private schools; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Munford (by request):

Assembly Bill No. 368—AN ACT relating to livestock; requiring the State Department of Agriculture to prepare and maintain certain books in an electronic format; authorizing a person to transport a saddle horse into and from this State without a brand inspection or livestock movement permit

issued by the Department under certain circumstances; requiring an inspector of the Department to carry or make available for use during a brand inspection a scanner or other device used to read an identification microchip subcutaneously implanted into livestock; revising provisions governing certain fees collected by the Department; 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 Stewart:

Assembly Bill No. 369—AN ACT relating to public health; enacting the Freedom of Choice in Health Care Act to provide persons in this State with certain choices concerning the manner in which to obtain health care services; 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 Assemblymen Hansen, Hammond, Kite, McArthur, and Sherwood:

Assembly Bill No. 370—AN ACT relating to governmental administration; establishing requirements for the indication of a person's gender on documents submitted to an agency of the State or a local government; 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 Carrillo (by request):

Assembly Bill No. 371—AN ACT relating to public works; revising the manner in which a construction manager at risk may solicit bids and select a subcontractor for a public work; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Hickey and Kirner:

Assembly Bill No. 372—AN ACT relating to state revenue; providing for the imposition, administration, collection and enforcement of a fee on the electronic transmission of money to locations outside of the United States; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Goicoechea:

Assembly Bill No. 373—AN ACT relating to real property; prohibiting under certain circumstances the removal, damaging or destruction of real property that is subject to foreclosure or any other action affecting the title or possession of the real property; 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 Assemblymen Woodbury, Daly, and Hammond:

Assembly Bill No. 374—AN ACT relating to mobile equipment; directing the Department of Administration and the Department of Transportation to conduct a joint review of the mobile equipment owned by the Department of Transportation and a joint analysis of the costs and benefits associated with the purchasing or leasing of that mobile equipment for the Department of Transportation; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Goicoechea, Hickey, Aizley, and Kirner:

Assembly Bill No. 375—AN ACT relating to state financial administration; requiring the Fiscal Analysis Division of the Legislative Counsel Bureau to determine the difference between the December and May revenue projections of the Economic Forum; requiring the Senate Standing Committee on Finance and the Assembly Standing Committee on Ways and Means to allocate any increase in projected revenue for the support of the State Distributive School Account and the Nevada System of Higher Education; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Smith, Bobzien, Kirkpatrick, Conklin, Hogan, and Ocegüera; Senator Leslie:

Assembly Bill No. 376—AN ACT relating to tourism improvement districts; making various changes regarding the financing of certain local improvements with revenue pledged from sales and use taxes; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Woodbury and Hammond:

Assembly Bill No. 377—AN ACT relating to child pornography; revising provisions pertaining to crimes involving child pornography; 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 Atkinson:

Assembly Bill No. 378—AN ACT relating to wildlife; requiring the Board of Wildlife Commissioners to adopt certain regulations concerning the possession and transportation of a carcass of a game mammal by a charitable organization; authorizing a game warden, sheriff or other peace officer to issue a written authorization to a representative of a charitable organization to allow the representative to possess and transport the carcass of a game mammal under certain circumstances; authorizing certain persons to possess the carcass of a game mammal without a tag attached to the carcass; requiring a person who takes possession of a carcass of a game mammal to transport the carcass to an official establishment for processing under certain circumstances; 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 Assemblymen Hammond, Carrillo, Hansen, Kite, Sherwood, and Woodbury:

Assembly Bill No. 379—AN ACT relating to crimes; establishing the crime of stolen valor; 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 Assemblymen Conklin, Kirkpatrick, Atkinson, Ocegüera, and Smith:

Assembly Bill No. 380—AN ACT relating to energy; revising the prospective expiration of the Wind Energy Systems Demonstration Program and the Waterpower Energy Systems Demonstration Program; providing for the expiration of the Solar Energy Systems Incentive Program; revising provisions governing the Solar Program, the Wind Program and the Waterpower Program; providing that incentives awarded to participants in

the Solar Program and Wind Program on or after January 1, 2013, must be awarded through a reverse auction mechanism established by the Public Utilities Commission of Nevada by regulation; revising provisions governing the amount of incentives which a utility must pay to participants in the Solar Program, the Wind Program, and the Waterpower Program; repealing the requirement that the installation of certain solar energy systems and wind energy systems be deemed a public work under certain circumstances; requiring the Commission to adopt regulations; 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. 381—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 Assemblymen Hammond, Ohrenschall, Sherwood, and Woodbury:

Assembly Bill No. 382—AN ACT relating to health care; requiring the Chiropractic Physicians' Board of Nevada to establish a preceptor program; prescribing requirements for participation in the program; authorizing unlicensed persons participating in the program to perform chiropractic 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 Assemblymen Hickey, Goicoechea, Grady, and Kirner:

Assembly Bill No. 383—AN ACT relating to trade regulations; directing the Legislative Commission to conduct an interim study concerning trademark and copyright law; 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 Assemblymen Hickey, Goicoechea, and Grady:

Assembly Bill No. 384—AN ACT relating to railroads; repealing provisions requiring the ringing of a bell or sounding of a whistle of a

locomotive 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 Assemblyman Ohrenschall:

Assembly Bill No. 385—AN ACT relating to energy; requiring the Public Utilities Commission of Nevada to establish the Solar Energy Systems Development Program; requiring each provider of electric service in this State to participate in the Program; requiring the Commission to establish standard offers for the purchase and resale of electricity generated by certain solar energy systems; providing that the standard offers established by the Commission must be made available until the total capacity of systems that have accepted a standard offer meets or exceeds the cumulative system capacity goal for the Program established by the Commission; prohibiting certain cooperatives, nonprofit corporations, and associations which supply services to members only from charging certain fees to members; 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 Ohrenschall:

Assembly Bill No. 386—AN ACT relating to energy; prohibiting a governing body from adopting any ordinance, regulation or plan or taking any other action concerning certain renewable energy projects; prohibiting a governing body from adopting any ordinance, regulation or plan that unreasonably restricts the use of a system for obtaining wind energy or a system for obtaining solar energy under certain circumstances; providing that a system for obtaining wind energy does not constitute a nuisance 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 Assemblyman Ohrenschall:

Assembly Bill No. 387—AN ACT relating to domestic wells; establishing certain requirements for conservation domestic wells; requiring owners of conservation domestic wells to submit reports to the State Engineer concerning the amount of water withdrawn from the conservation domestic wells; 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 Ohrenschall:

Assembly Bill No. 388—AN ACT relating to real property; requiring the disclosure form required to be provided by the seller of residential property to include only certain information related to the residential property; prohibiting the unit-owners' association of a common-interest community from charging a unit's owner any costs of collecting a past due obligation other than costs related to the recording of certain documents; revising provisions governing the foreclosure of an association's lien based on a fine or penalty for a violation of the governing documents of the common-interest community; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Ohrenschall:

Assembly Bill No. 389—AN ACT relating to the Open Meeting Law; requiring a public body to allot an equal amount of time for certain testimony at a public meeting; making the provisions of chapter 241 of NRS applicable to a nonprofit corporation that has the power of eminent domain; requiring meetings conducted by common-interest communities to comply with the Open Meeting Law; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 31.

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

Motion carried.

Senate Bill No. 32.

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

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 5.

Bill read third time.

Remarks by Assemblyman Frierson.

Roll call on Senate Bill No. 5:

YEAS—42.

NAYS—None.

Senate Bill No. 5 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assemblyman Conklin moved that the Assembly recess until 6 p.m.

Motion carried.

Assembly in recess at 12:12 p.m.

ASSEMBLY IN SESSION

At 6:17 p.m.

Mr. Speaker presiding.

Quorum present.

COMMUNICATIONS

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

March 16, 2011

THE HONORABLE JOHN OCEGUERA, *SPEAKER*, Nevada State Assembly, Legislative Building, 401 South Carson Street, Carson City, Nevada 89701

DEAR SPEAKER OCEGUERA:

This letter serves as a formal request to address the joint session of the Nevada Legislature on Thursday, April 21, 2011, at 5 p.m. It is my understanding that this date and time are available.

Should you have any questions or comments, please contact Ashley Carrigan, my district director, at 775.686.5760.

I thank you in advance for this opportunity.

Sincerely,
DEAN HELLER
Member of Congress

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Goedhart, Goicoechea, Grady, Hambrick, Hansen, Hardy, Hickey, Kirner, Kite, Livermore, Sherwood, and Stewart; Senator Settlemeyer:

Assembly Concurrent Resolution No. 6—Amending the Joint Standing Rules for the 76th Session of the Legislature to require that bills be posted on the legislative website for at least 72 hours before a vote on final passage in each House.

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

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Carlton, Ohrenschall, Brooks, Frierson, Carrillo, Atkinson, Benitez-Thompson, Bobzien, Bustamante Adams, Daly, Dondero Loop, Grady, Hansen, Hickey, Kirner, Kite, Ocegüera, Pierce, and Segerblom; Senators Breeden, Kihuen, Manendo, Parks, and Schneider:

Assembly Bill No. 390—AN ACT relating to energy assistance; clarifying that certain tenants are eligible for energy assistance 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 Assemblymen Goicoechea, Ellison, and Hansen:

Assembly Bill No. 391—AN ACT relating to motor vehicles; authorizing alternate procedures for the registration of certain trailers; providing an exemption from the governmental services tax for certain trailers; revising provisions relating to the depreciation applied in determining the value of certain vehicles for the calculation of the governmental services tax; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen McArthur, Ohrenschall, Kirner, and Hambrick:

Assembly Bill No. 392—AN ACT relating to veterans; revising provisions governing property tax exemptions for certain veterans; exempting fully disabled veterans from the payment of any fees and governmental services taxes required to register or obtain license plates for certain vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Dondero Loop, Diaz, Smith, Aizley, Benitez-Thompson, Bobzien, Bustamante Adams, Carrillo, Conklin, Frierson, Mastroluca, and Ohrenschall:

Assembly Bill No. 393—AN ACT relating to educational personnel; requiring the Commission on Professional Standards in Education to include in the fee for the renewal of licensure of teachers and other educational personnel the amount required for processing the fingerprints of the applicant for renewal by the Central Repository for Nevada Records of Criminal History and the Federal Bureau of Investigation; requiring the Central Repository to investigate the criminal background of each applicant for

renewal of a license submitted to the Superintendent of Public Instruction; revising other provisions governing the renewal of licensure of teachers and other educational personnel; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Ohrenschall:

Assembly Bill No. 394—AN ACT relating to common-interest communities; revising provisions governing the collection of past due financial obligations in common-interest communities; establishing limits on the amount which may be charged to a unit's owner to cover the costs of collecting a past due financial obligation; revising provisions governing an association's lien for assessments; revising provisions governing the foreclosure of an association's lien by sale; revising provisions governing the manner of collecting debts owed to an association; establishing a limit on the amount of the fee which may be charged to a unit's owner to record a transfer of the unit in the records of the association; revising various provisions relating to common-interest communities; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Dondero Loop, Benitez-Thompson, Bobzien, Bustamante Adams, Conklin, Diaz, Frierson, Mastroluca, Segerblom, and Smith:

Assembly Bill No. 395—AN ACT relating to educational personnel; creating a separate category of licensure to teach special education; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Diaz, Conklin, Kirkpatrick, Segerblom, Aizley, Atkinson, Benitez-Thompson, Brooks, Bustamante Adams, Daly, Dondero Loop, Flores, Frierson, Mastroluca, Neal, Ocegüera, Pierce, and Smith:

Assembly Bill No. 396—AN ACT relating to civil actions; providing immunity from civil liability to local governmental entities that engage in cooperative training exercises 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 Assemblyman McArthur:

Assembly Bill No. 397—AN ACT relating to elections; limiting the use of mechanical voting systems whereby a vote is cast on a device which directly records the vote electronically to use by persons with disabilities; 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 Ohrenschall and Senator Parks:

Assembly Bill No. 398—AN ACT relating to commercial tenancies; prohibiting a landlord's interference with a tenant's use of commercial premises under certain circumstances; establishing a procedure for a tenant to recover possession of commercial premises following a lockout; establishing requirements for accounting for, charges against and refund of security deposits; prohibiting a landlord from assessing charges against a tenant except under certain circumstances; setting forth the circumstances under which a tenant can be presumed to have abandoned commercial premises; repealing and reenacting provisions relating to the disposal of personal property abandoned by a tenant on commercial premises; 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 Munford:

Assembly Bill No. 399—AN ACT relating to state revenue; providing for the imposition, administration, collection and enforcement of a fee on the sale in this State by fast-food businesses of certain items of prepared food; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Hardy and Hambrick; Senator Hardy:

Assembly Bill No. 400—AN ACT relating to unincorporated towns; requiring the election of members of a town advisory board in a county whose population is 400,000 or more; 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 Ocegueda:

Assembly Bill No. 401—AN ACT relating to constructional defects; revising the definition of “constructional defect”; revising provisions governing attorney’s fees in claims concerning constructional defects; revising the statutes of limitation and repose relating to certain actions concerning constructional defects; 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. 402—AN ACT relating to state financial administration; requiring a state agency to seek and obtain the approval of the State Board of Finance to enter into a contract to allow the agency to accept credit or debit cards or electronic transfers of money unless it is impracticable for the agency to enter into such a contract; authorizing the Director of the Department of Administration to enter into contracts for the benefit of all state agencies for the acceptance of credit or debit cards or electronic transfers of money, in which any state agency may participate; requiring a state agency that does not enter into such a contract or participate in a contract entered into by the Director of the Department of Administration to report periodically to the Legislative Commission and the Interim Finance Committee concerning the reasons for the failure; 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 Ocegueda:

Assembly Bill No. 403—AN ACT relating to regulations; requiring the adoption of certain permanent regulations; 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 Ocegueda:

Assembly Bill No. 404—AN ACT relating to state buildings; requiring the Chief of the Buildings and Grounds Division of the Department of Administration to approve any agreements to purchase or lease property for use by certain state entities; requiring certain state entities to provide the Chief with an inventory of all property used by the entity; requiring the Chief to post on an Internet website certain information regarding leases of property for State 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 Assemblyman Ocegueda:

Assembly Bill No. 405—AN ACT relating to public employees' retirement; eliminating the inclusion of call-back pay in the compensation reported for each member of the Public Employees' Retirement System whose effective date of membership in the System is on or after January 1, 2012; limiting the increases in reportable compensation each fiscal year for such a member; pledging that the Legislature will not modify retirement benefits for a certain period and will not increase subsequent benefits except in 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 Assemblyman Hansen:

Assembly Bill No. 406—AN ACT relating to commissions; creating the Evaluation and Sunset Advisory Commission; providing for its membership; requiring the Commission to evaluate the necessity and efficacy of all agencies, boards and commissions and statutory tax exemptions, abatements and earmarks 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 Assemblymen Grady and Stewart:

Assembly Bill No. 407—AN ACT relating to business brokers; establishing a definition for “designated business sales manager”; revising the definition of “business broker”; revising provisions governing transactions which require a business broker; revising certain requirements for the appointment of a designated business sales manager for the

supervision of the office of a real estate broker; 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 Assemblymen Segerblom and Flores:

Assembly Bill No. 408—AN ACT relating to the administration of justice; restricting the use of restraints on pregnant females who are in confinement; 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. 409—AN ACT relating to notarial acts; enacting the Revised Uniform Law on Notarial Acts; repealing certain provisions of the Uniform Law on Notarial Acts; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Goedhart, Sherwood, Goicoechea, Grady, Hambrick, Hansen, Hardy, Hickey, Kirner, Kite, Livermore, and Stewart; Senators Rhoads and Settlemeyer:

Assembly Bill No. 410—AN ACT relating to water; requiring that protests against the granting of certain applications relating to water rights by a government, governmental agency or political subdivision of a government be verified or signed by the person in charge of the government, agency or political subdivision; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Goedhart, Goicoechea, Grady, Hambrick, Hammond, Hansen, Hardy, Kirner, Kite, Livermore, Sherwood, and Stewart; Senators Rhoads and Settlemeyer:

Assembly Bill No. 411—AN ACT relating to public health; enacting the Freedom of Choice in Health Care Act to provide persons in this State with certain choices concerning the manner in which to obtain health care services; 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 Assemblymen Conklin, Ohrenschall, Horne, Daly, Atkinson, and Ocegueda:

Assembly Bill No. 412—AN ACT relating to liens; requiring certain owners and lessees to obtain the services of an escrow agency and to establish trust accounts for amounts withheld from payment to contractors and subcontractors; requiring those owners and lessees to record a notice of establishment of a trust account under certain circumstances; establishing requirements for administering such trust accounts; providing that a lien claimant has a lien against such retention amounts and trust accounts 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 Assemblymen Daly, Conklin, Hickey, Atkinson, Bobzien, Bustamante Adams, Carlton, Ellison, Horne, Kirkpatrick, Pierce, and Smith:

Assembly Bill No. 413—AN ACT relating to public works; making various changes relating to the withholding of retainage on progress payments for public works contracts; 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 Neal:

Assembly Bill No. 414—AN ACT relating to higher education; establishing the Nevada System of Higher Education Science Technology and Research Fund; requiring the Board of Regents of the University of Nevada to use money in the Fund for certain purposes related to technology transfer and commercialization; requiring businesses which receive a partial abatement of certain taxes for locating or expanding in this State to contribute a certain percentage of the abatement to the Fund; requiring the Commission on Economic Development to assist faculty, researchers, and students at institutions of higher education in this State with the commercialization of research and innovations; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Sherwood, Ellison, Goedhart, Goicoechea, Grady, Hambrick, Hammond, Hansen, Hardy, Hickey, Kirner, Kite, Livermore, and Stewart:

Assembly Bill No. 415—AN ACT relating to civil actions; limiting the liability of certain independent contractors; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Bobzien, Atkinson, Conklin, Dondero Loop, and Kirkpatrick; Senator Leslie:

Assembly Bill No. 416—AN ACT relating to energy; revising provisions governing the Solar Energy Systems Incentive Program; revising the categories of participants in the Solar Program; revising provisions governing the Wind Energy Systems Demonstration Program; removing the prospective expiration of the Wind Program; revising provisions governing certain solar energy systems and wind energy systems which are deemed public works for certain purposes; revising provisions governing net metering systems; requiring the reallocation of certain capacity and incentives for participation in the Solar Program; requiring the Public Utilities Commission of Nevada to adopt certain regulations; 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. 417—AN ACT relating to the taxation of property; excluding certain golf courses from being designated as open-space real property under applicable zoning ordinances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Aizley:

Assembly Bill No. 418—AN ACT relating to taxation; authorizing the Commission on Economic Development to approve and the Nevada Tax Commission to issue a transferable tax credit for a company that produces a film production in this State under certain circumstances; requiring a company that receives a transferable tax credit to consent to an audit by the Department of Taxation and to the disclosure of the audit report to the

Commission on Economic Development and to the public with certain limited exceptions; requiring the Commission on Economic Development to provide notice of certain hearings; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Goicoechea:

Assembly Bill No. 419—AN ACT relating to water; requiring the State Engineer to designate certain groundwater basins as critical management areas; requiring the State Engineer to take certain actions in such a basin unless a groundwater management plan has been approved for the basin; 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 Stewart:

Assembly Bill No. 420—AN ACT relating to the Nevada National Guard; providing for the confidentiality of personal information in certain documents recorded with a county recorder by a member of the Nevada National Guard; revising provisions governing the termination of employment of a member of the Nevada National Guard; prohibiting the commencement of civil actions against a member of the Nevada National Guard during certain periods; providing for a preference for certain employment with the government of this State for members of the Nevada National Guard; 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 Assemblywoman Carlton:

Assembly Bill No. 421—AN ACT relating to prescriptions; revising requirements for prescribing and dispensing certain drugs and medication for which a special warning label is required; 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 Assemblywoman Kirkpatrick:

Assembly Bill No. 422—AN ACT relating to water; providing specific authority for public bodies to lease water rights to certain owners or holders of water rights; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Daly, Atkinson, Kirkpatrick, and Pierce:

Assembly Bill No. 423—AN ACT relating to the Office of the Attorney General; authorizing certain organizations to request an opinion of the Attorney General under certain circumstances; authorizing the Attorney General to charge an organization that requests an opinion a fee for issuing a written opinion; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Hardy, Hickey, Hambrick, and Sherwood; Senator Rhoads:

Assembly Bill No. 424—AN ACT relating to state financial administration; increasing the monetary thresholds at which certain approval of revisions of work programs and acceptance of gifts and grants is required; exempting certain revisions of work programs from certain approval; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Stewart and Woodbury:

Assembly Bill No. 425—AN ACT relating to elections; requiring photographic identification for voting; requiring county clerks to issue voter identification cards under certain circumstances; requiring persons who apply for absent ballots to provide certain information to county and city clerks; 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 Ohrenschall and Senator Brower:

Assembly Bill No. 426—AN ACT relating to regional transportation commissions; revising provisions pertaining to vending stands provided for by such a 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 Ohrenschall:

Assembly Bill No. 427—AN ACT relating to programs for recycling; enacting provisions requiring the payment of deposits and refunds on certain beverage containers sold in this State; 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 Assemblywoman Pierce:

Assembly Bill No. 428—AN ACT relating to taxation; revising the formula for determining the measure of the tax on the net proceeds of minerals extracted; extending the prospective expiration of certain requirements regarding the advance payment of the tax; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Ohrenschall, Anderson, Frierson, Carrillo, Hogan, Aizley, Benitez-Thompson, Brooks, Bustamante Adams, Carlton, Daly, Dondero Loop, Munford, Neal, Pierce, and Segerblom; Senators Manendo, Kihuen, and Parks:

Assembly Bill No. 429—AN ACT relating to manufactured housing; requiring a landlord of a manufactured home park to pay certain costs associated with moving a tenant's manufactured home 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 Hansen:

Assembly Bill No. 430—AN ACT relating to immigration; providing under certain circumstances for the verification of the immigration status of persons who are arrested and booked; requiring certain applicants for the issuance or renewal of a state business license to submit with the application a copy of certain tax forms; requiring the Office of the Attorney General to negotiate and implement a cooperative law enforcement agreement with the Attorney General of the United States regarding the enforcement of federal immigration laws by certain state and local employees; requiring public

employers to use E-Verify to verify eligibility for employment for current and prospective employees; requiring contractors and subcontractors on a public work to use E-Verify to verify eligibility for employment for workers on the public work; prohibiting the misclassification of unauthorized aliens as legal aliens; 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 Hansen:

Assembly Bill No. 431—AN ACT relating to elections; requiring registered voters to provide proof of identity to vote in person; requiring county clerks to issue proof of identity under certain circumstances; requiring registered voters to provide identification to vote by absent ballot or mail; revising provisions concerning provisional ballots; 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 Assemblywomen Kirkpatrick and Benitez-Thompson:

Assembly Bill No. 432—AN ACT relating to energy auditors; establishing the qualifications for an energy auditor; providing for the licensure of energy auditors by the Real Estate Division of the Department of Business and Industry; establishing the requirements with which an energy auditor must comply when conducting an energy audit; requiring the Director of the Office of Energy to register energy auditors; requiring the Director to issue a certificate to a homeowner upon the completion of an energy audit; repealing provisions that require the Nevada Energy Commissioner to establish a program for evaluating the energy consumption of residential property in this State; 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 Assemblyman Segerblom:

Assembly Bill No. 433—AN ACT relating to employment practices; making it unlawful for public employers to make rules or regulations that prohibit or prevent an employee from engaging in politics or becoming a candidate for public office with certain exceptions; prohibiting any employer from taking any adverse employment action against an employee because the employee has become a candidate for any public office with certain

exceptions; 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 Assemblyman Hardy:

Assembly Bill No. 434—AN ACT relating to elections; requiring photographic identification for voting; requiring county clerks to issue voter identification cards under certain circumstances; requiring persons who apply for absent ballots to provide certain information to county and city clerks; amending provisions relating to the preparation and casting of absent ballots; requiring voters be placed on inactive voter status in certain circumstances; increasing the distance in which electioneering is prohibited from the entrance of a polling place; making various other changes relating to elections; 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. 435—AN ACT relating to elections; requiring certain proof of identity for voting; 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. 436—AN ACT relating to taxation; providing a deduction from the payroll tax for certain employers for wages paid to newly hired employees under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Daly, Flores, and Pierce:

Assembly Bill No. 437—AN ACT relating to taxation; increasing the rate of assessment of property; providing for the use by local governments of a portion of certain revenue attributable to the increase in the rate of assessment; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Goedhart, Aizley, Carlton, Hardy, Ohrenschall, and Segerblom:

Assembly Bill No. 438—AN ACT relating to controlled substances; revising provisions governing the medical use of marijuana; 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 Neal:

Assembly Bill No. 439—AN ACT relating to redevelopment of communities; requiring a redevelopment agency in certain cities to withhold a portion of any incentive provided to a developer unless the developer satisfies certain conditions; requiring the reporting of certain information relating to the redevelopment project by certain developers; requiring an employment plan to include information relating to preferences for hiring persons from the redevelopment area; requiring a person who is awarded an agreement for a redevelopment project in certain cities to gather and report to the agency certain information concerning the applicants for employment on the project; requiring an agency in certain cities to gather and report to the State Public Works Board certain information concerning persons who submit a proposal for a redevelopment project; requiring the State Public Works Board to gather and maintain certain information concerning redevelopment projects reported to it by various agencies; requiring the State Public Works Board to report to the Attorney General certain information concerning redevelopment projects reported to it by various agencies; requiring the Attorney General to determine when sufficient information exists to support certain preferences on a redevelopment project and to notify the Governor of such determination; requiring the Governor to issue a proclamation indicating that sufficient information exists to support certain preferences on a redevelopment project upon notice from the Attorney General; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Goedhart, Hickey, Hambrick, Hansen, and Sherwood; Senators Cegavske, Gustavson, and Roberson:

Assembly Bill No. 440—AN ACT relating to legislative affairs; creating the Legislative Committee on Reduction of Nonessential State Expenditures; prescribing the powers and duties of the Committee; 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 Assemblymen Brooks, Anderson, and Diaz:

Assembly Bill No. 441—AN ACT relating to contractors; providing a classification of licensing for certain persons who install and maintain thermal system insulation; requiring such persons to be licensed in that classification; requiring the State Contractors' Board to establish an advisory committee relating to this classification; 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 Assemblymen Brooks, Atkinson, Benitez-Thompson, Bustamante Adams, Daly, Ellison, Frierson, Hickey, Horne, Kirkpatrick, Ocegüera, and Pierce; Senators Lee and Manendo:

Assembly Bill No. 442—AN ACT relating to renewable energy; establishing the Community Solar Garden Demonstration Program; requiring the Public Utilities Commission of Nevada to adopt regulations to carry out the Program; providing for the establishment of incentives for subscriber organizations that participate in the Program; providing that subscriber organizations which own and operate community solar gardens may participate in net metering under certain circumstances; requiring a utility to submit an annual plan to the Commission for carrying out the Program in the service area of the utility; providing that subscribers and subscriber organizations are not public utilities; 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 Assemblymen Brooks, Benitez-Thompson, Bustamante Adams, Ellison, Hickey, Kirkpatrick, and Sherwood; Senators Denis, Lee, and Manendo:

Assembly Bill No. 443—AN ACT relating to taxation; providing a deduction from the payroll tax for wages paid to newly hired full-time

employees under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Brooks, Anderson, Atkinson, Benitez-Thompson, Daly, Frierson, and Pierce; Senators Kihuen and Manendo:

Assembly Bill No. 444—AN ACT relating to taxation; authorizing the Commission on Economic Development to approve under certain conditions a partial abatement of the taxes imposed on a training facility for high-speed railway systems that locates in this State; providing for the administration and enforcement of the terms of such an abatement; requiring certain reports to the Legislature; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Brooks, Anderson, and Diaz:

Assembly Bill No. 445—AN ACT relating to real property; revising the provisions governing mediation in certain actions for foreclosures; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Brooks, Carrillo, Ohrenschall, Segerblom, Pierce, Diaz, and Frierson; Senator Parks:

Assembly Bill No. 446—AN ACT relating to taxation; providing for the imposition, administration, collection and enforcement of an excise tax on the use of services in this State; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Kirkpatrick:

Assembly Bill No. 447—AN ACT relating to tax abatements; revising the provisions governing certain partial property tax abatements for certain businesses in this State; repealing certain provisions governing partial property tax abatements for businesses using recycled material; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Munford:

Assembly Bill No. 448—AN ACT relating to real property; providing for the issuance of cease and desist orders by the Administrator of the Real Estate Division of the Department of Business and Industry under certain circumstances; revising provisions governing access to a unit in a common-interest community; prohibiting an association of a common-interest community from charging certain fees; prohibiting an association from enacting certain restrictions on antennae and certain other devices for receiving broadcast signals; revising provisions governing the powers of an association; revising provisions governing the filling of vacancies on an executive board; revising provisions governing the powers and duties of the executive board; revising provisions governing construction penalties; revising provisions governing sanctions for violations of the governing documents; revising provisions governing the collection of certain past due financial obligations; revising provisions governing eligibility to be a member of the executive board or an officer of the association; requiring members of the executive board to complete certain courses of education; revising provisions governing meetings of the units' owners and of the executive board; revising provisions governing surplus funds of an association; revising provisions governing the budget of an association; revising provisions governing certain expenditures by an association; revising provisions governing assessments to fund the reserves of an association; revising provisions governing studies of the reserves of an association; revising provisions governing liens of an association; revising provisions governing the books, records, and papers of an association; revising provisions governing parking in a common-interest community; revising provisions governing claims based on alleged violations of certain laws and the interpretation, application, and enforcement of the governing documents; revising various other provisions relating to common-interest communities; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Ocegüera, Kirkpatrick, Conklin, Smith, Brooks, and Goicoechea; Senators Horsford and McGinness:

Assembly Bill No. 449—AN ACT relating to economic development; creating an Advisory Council on Economic Development; prescribing the duties of the Advisory Council; creating the Board of Economic

Development; prescribing the duties and powers of the Board; creating the Office of Economic Development; prescribing the duties and powers of the Office and the Executive Director of the Office; establishing a fund to provide grants to local governments for the purpose of economic development; establishing a fund to provide financial assistance to research institutions within the Nevada System of Higher Education for the development and commercialization of new technologies; amending provisions relating to the Commission on Economic Development, the Governor's Workforce Investment Board and the Secretary of State's business portal; transferring the duties and powers of the Commission on Economic Development to the Board of Economic Development; revising various provisions relating to economic development; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 124.

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 Stacy Johnson and Jordan Hughes.

On request of Assemblyman Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Deshan Carey, Clara Thomas, and Leo Murrieta.

On request of Assemblyman Atkinson, the privilege of the floor of the Assembly Chamber for this day was extended to Allyssa Gabrillo and Ethan Leaverton.

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Jason King and John Kinney.

On request of Assemblyman Bobzien, the privilege of the floor of the Assembly Chamber for this day was extended to Shara Hinden, Steven Cohen, Lea Moser, Michael Cabrera, Malysa Essex, and Ryan Cotter.

On request of Assemblyman Brooks, the privilege of the floor of the Assembly Chamber for this day was extended to Matthew Vann and Susana Buller.

On request of Assemblywoman Bustamante Adams, the privilege of the floor of the Assembly Chamber for this day was extended to Cynthia Jimenez and Leticia Lopez.

On request of Assemblywoman Carlton, the privilege of the floor of the Assembly Chamber for this day was extended to Zach Boles and Brandon Bishop.

On request of Assemblyman Carrillo, the privilege of the floor of the Assembly Chamber for this day was extended to Araceli Gomez and Paulette Batayola.

On request of Assemblyman Conklin, the privilege of the floor of the Assembly Chamber for this day was extended to Francisco Soto-Angeles and Adriana Foster.

On request of Assemblyman Daly, the privilege of the floor of the Assembly Chamber for this day was extended to Dustin Rains and Andre Salvador.

On request of Assemblywoman Diaz, the privilege of the floor of the Assembly Chamber for this day was extended to Madalyn Tsugawa, Marissa Grant, and Joseph L. Hill.

On request of Assemblywoman Dondero Loop, the privilege of the floor of the Assembly Chamber for this day was extended to Rex Harrell and Judy Harrell.

On request of Assemblywoman Flores, the privilege of the floor of the Assembly Chamber for this day was extended to Casey Burke-Ruhl, Steve Gronstal, Astrid Silva, and Juan A. Ortega.

On request of Assemblyman Frierson, the privilege of the floor of the Assembly Chamber for this day was extended to Lilybeth Molina and Brent Buffone.

On request of Assemblyman Goicoechea, the privilege of the floor of the Assembly Chamber for this day was extended to Kevin C. Melcher.

On request of Assemblyman Hogan, the privilege of the floor of the Assembly Chamber for this day was extended to Amador Ronquillo and Andrea Revez.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Janelle O'Shaughnessy and Makly Prohete.

On request of Assemblywoman Mastroluca, the privilege of the floor of the Assembly Chamber for this day was extended to Richard Hackowski and Johnathan Lee.

On request of Assemblyman Munford, the privilege of the floor of the Assembly Chamber for this day was extended to Sarai Amaya.

On request of Assemblywoman Neal, the privilege of the floor of the Assembly Chamber for this day was extended to Senator Joseph Neal, Alexandra Neal, and Tationna Traylor.

On request of Assemblyman Ohrenschaal, the privilege of the floor of the Assembly Chamber for this day was extended to Brandon Bishop.

On request of Assemblyman Segerblom, the privilege of the floor of the Assembly Chamber for this day was extended to Sterling Kavitky, Tom Stewart, and Andrew Spivak.

Assemblyman Conklin moved that the Assembly adjourn until Tuesday, March 22, 2011, at 4:30 p.m.

Motion carried.

Assembly adjourned at 6:47 p.m.

Approved:

JOHN OCEGUERA
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly