

**THE TENTH DAY**

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CARSON CITY (Wednesday), February 13, 2013

Assembly called to order at 11:47 a.m.

Madam Speaker presiding.

Roll called.

All present except Assemblymen Brooks, Carlton, and Livermore, who were excused.

Prayer by the Chaplain, Pastor Albert Tilstra.

Eternal God,

Grant to the members and the officers of this body a sacred moment of quiet before they take up the duties of the day. Let them not think, when this prayer is said, that their dependence on You is over and forget the counsels for the rest of the day. Rather from these moments of holy quiet, may there come such a sweetness of disposition that all may know that You are in this place. From this holy interlude may there flow light and joy and power that will remain with them until night shall bring Your whispered benediction, "Well done, good and faithful servant." We ask these things in humbleness of heart.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Horne 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.

**MOTIONS, RESOLUTIONS AND NOTICES**

By the Select Committee on the Assembly:

Assembly Resolution No. 5—Approving and ratifying committee rules and orders of the Select Committee on the Assembly and providing further instructions and authority to the Select Committee on the Assembly.

WHEREAS, The Assembly appointed the members of the Select Committee on the Assembly to consider and investigate matters within the jurisdiction of Section 6 of Article 4 of the Nevada Constitution; and

WHEREAS, The Select Committee on the Assembly reports that it has commenced its proceedings to consider and investigate matters within the jurisdiction of Section 6 of Article 4 of the Nevada Constitution; and

WHEREAS, The Select Committee on the Assembly reports that it has adopted committee rules that are necessary, just and appropriate to preserve order and protect the integrity and decorum of the Legislature and the legislative process and to conduct the Committee's proceedings to consider and investigate matters within the jurisdiction of Section 6 of Article 4 of the Nevada Constitution; and

WHEREAS, The Select Committee on the Assembly reports that its Chair has issued orders pursuant to its committee rules that are necessary, just and appropriate to preserve order and protect the integrity and decorum of the Legislature and the legislative process and to conduct

the Committee's proceedings to consider and investigate matters within the jurisdiction of Section 6 of Article 4 of the Nevada Constitution; and

WHEREAS, The Select Committee on the Assembly has submitted its committee rules and orders to the Assembly for consideration and review; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the committee rules of the Select Committee on the Assembly are hereby determined to be necessary, just and appropriate to preserve order and protect the integrity and decorum of the Legislature and the legislative process and to conduct the Committee's proceedings to consider and investigate matters within the jurisdiction of Section 6 of Article 4 of the Nevada Constitution; and be it further

RESOLVED, That the committee rules of the Select Committee on the Assembly are hereby approved and ratified; and be it further

RESOLVED, That the orders of the Chair of the Select Committee on the Assembly that have been issued pursuant to its committee rules are determined to be necessary, just and appropriate to preserve order and protect the integrity and decorum of the Legislature and the legislative process and to conduct the Committee's proceedings to consider and investigate matters within the jurisdiction of Section 6 of Article 4 of the Nevada Constitution; and be it further

RESOLVED, That the orders of the Chair of the Select Committee on the Assembly that have been issued pursuant to its committee rules are hereby approved and ratified; and be it further

RESOLVED, That the Select Committee on the Assembly is hereby instructed to continue its proceedings to consider and investigate matters within the jurisdiction of Section 6 of Article 4 of the Nevada Constitution; and be it further

RESOLVED, That the Select Committee on the Assembly is hereby authorized to adopt or amend any committee rules that are necessary, just and appropriate to preserve order and protect the integrity and decorum of the Legislature and the legislative process and to conduct the Committee's proceedings to consider and investigate matters within the jurisdiction of Section 6 of Article 4 of the Nevada Constitution; and be it further

RESOLVED, That the Select Committee on the Assembly and its Chair are hereby authorized to issue any orders pursuant to its committee rules that are necessary, just and appropriate to preserve order and protect the integrity and decorum of the Legislature and the legislative process and to conduct the Committee's proceedings to consider and investigate matters within the jurisdiction of Section 6 of Article 4 of the Nevada Constitution; and be it further

RESOLVED, That the Select Committee on the Assembly shall make reports and recommendations to the Assembly, at such times as the Committee deems advisable, regarding its proceedings to consider and investigate matters within the jurisdiction of Section 6 of Article 4 of the Nevada Constitution; and be it further

RESOLVED, That this resolution shall be entered upon the Journal of the Assembly.

Assemblyman Horne moved the adoption of the resolution.

Remarks by Assemblymen Horne and Hickey.

Assemblyman Horne moved that the following remarks be entered in the Journal.

Motion carried.

ASSEMBLYMAN HORNE:

Assembly Resolution 5 approves and ratifies the rules and orders that have been adopted and issued by the Select Committee on the Assembly. The Assembly appointed the Select Committee to consider and investigate matters within the jurisdiction of Section 6 of Article 4 of the *Nevada Constitution*. The Select Committee has commenced its proceedings, and it has determined that its rules and orders are necessary, just, and appropriate to preserve order and protect the integrity and decorum of the Legislature and the legislative process and to conduct its proceedings within the jurisdiction of Section 6 of Article 4 of the *Nevada Constitution*.

Assembly Resolution 5 also instructs the Select Committee to continue its proceedings, and it authorizes the Select Committee to adopt or amend any other committee rules and issue any

other orders that are necessary, just, and appropriate to preserve order and protect the integrity and decorum of the Legislature and the legislative process and to conduct its proceedings.

Finally, Madam Speaker, Assembly Resolution 5 instructs the Select Committee to make reports and recommendations to the Assembly, at such times as the committee deems advisable, regarding its proceedings.

ASSEMBLYMAN HICKEY:

Thank you, Madam Speaker. I, too, rise in support of Assembly Resolution 5. This resolution simply allows the Committee to do the job that it is tasked to do, and I urge your support.

Resolution adopted.

#### INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Spiegel, Kirkpatrick, and Carrillo; Senator Parks:

Assembly Bill No. 94—AN ACT relating to the State Board of Professional Engineers and Land Surveyors; revising provisions relating to certain examinations conducted by the Board; and providing other matters properly relating thereto.

Assemblywoman Spiegel moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Spiegel, Kirkpatrick, Bobzien, Diaz, Carlton, Aizley, Elliot Anderson, Benitez-Thompson, Carrillo, Cohen, Dondero Loop, Eisen, Ellison, Hardy, Healey, Hickey, Hogan, Martin, Ohrenschall, Pierce, and Stewart; Senators Parks, Spearman, and Woodhouse:

Assembly Bill No. 95—AN ACT relating to pharmacy; requiring a pharmacist or practitioner to indicate on a prescription label if a generic drug has been substituted for a drug prescribed by brand name; and providing other matters properly relating thereto.

Assemblywoman Spiegel moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblywoman Neal:

Assembly Bill No. 96—AN ACT relating to vehicles; authorizing a person registering a passenger car or motorcycle to pay the original or renewal registration in installments under certain circumstances; revising the circumstances under which a person who owns a dormant vehicle may retain the license plates of the dormant vehicle for potential reinstatement; revising provisions relating to determining the valuation of certain trailers for the purpose of imposing the governmental services tax; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Aizley, Munford, Neal, and Ohrenschall:

Assembly Bill No. 97—AN ACT relating to crimes; revising provisions relating to the time for filing a count alleging that a person is a habitual criminal, habitual felon or habitually fraudulent felon; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Aizley and Spiegel:

Assembly Bill No. 98—AN ACT relating to common-interest communities; requiring a person nominated as a candidate for membership on the executive board of an association to be a member of the association in good standing; authorizing an association to reject a person's nomination as a candidate for membership on the executive board in certain circumstances; authorizing an association to distribute the disclosure of a potential conflict of interest on behalf of a candidate; requiring an association that solicits bids for an association project to review and compare initial bids; authorizing such an association to request revised bids; revising the definition of "association project"; revising the process by which financial statements of certain associations are reviewed or audited; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Ohrenschall and Horne; Senators Segerblom, Roberson, Brower, and Settlemeyer:

Assembly Bill No. 99—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 Ohrenschall moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Eisen and Carlton:

Assembly Bill No. 100—AN ACT relating to courts; designating five family court judges in certain counties to hear only cases involving child abuse and neglect, adoptions of children in foster care and the termination of parental rights by an agency which provides child welfare services; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 101—AN ACT relating to motor vehicles; providing for the registration of mopeds; requiring a fee for such registration; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Carrillo, Fiore, Daly, and Martin:

Assembly Bill No. 102—AN ACT relating to crimes; revising provisions relating to the crime of participation in an organized retail theft ring; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Carrillo, Fiore, Daly, and Martin:

Assembly Bill No. 103—AN ACT relating to peace officers; making school police officers category I peace officers with unrestricted duties and jurisdiction; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Hansen, Paul Anderson, Duncan, Ellison, Fiore, Grady, Hardy, Oscarson, and Wheeler; Senator Gustavson:

Assembly Bill No. 104—AN ACT relating to immigration; providing under certain circumstances for the verification of the immigration status of persons who are arrested and booked into a jail or correctional facility; 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; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Hambrick, Fiore, Hickey, Ellison, and Wheeler:

Assembly Bill No. 105—AN ACT relating to criminal procedure; extending to United States Marshals the power to arrest without a warrant and the power to obtain and execute search warrants; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Hansen, Fiore, Duncan, Ellison, Grady, Hardy, Hickey, Kirner, Oscarson, and Wheeler:

Assembly Bill No. 106—AN ACT relating to occupational safety; providing for the award of certain costs, fees and expenses to prevailing parties in actions before the Occupational Safety and Health Review Board under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Hansen, Fiore, Hickey, Paul Anderson, Duncan, Ellison, Grady, Hardy, Kirner, Oscarson, Stewart, and Wheeler; Senator Gustavson:

Assembly Bill No. 107—AN ACT relating to constructional defects; revising provisions governing an award of attorney's fees in causes of action for constructional defects; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Elliot Anderson:

Assembly Bill No. 108—AN ACT relating to elections; providing that a person is not ineligible to vote because he or she has been adjudicated mentally incompetent unless a court of competent jurisdiction makes certain specific findings concerning the person's mental capacity to vote; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Bobzien, Elliot Anderson, Kirkpatrick, Eisen, and Diaz; Senators Denis and Smith:

Assembly Bill No. 109—AN ACT relating to public welfare; setting forth the required qualifications of a licensee of a child care facility, or a person appointed by the licensee, who is responsible for the daily operation, administration or management of the child care facility; revising the amount of training that persons who are employed at certain child care facilities must complete for certain years; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Ohrenschall:

Assembly Bill No. 110—AN ACT relating to crimes; revising provisions concerning the criteria and procedures for determining whether a dog is dangerous or vicious; providing that a dog may not be determined to be dangerous or vicious based solely on its breed; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Kirner, Hickey, Elliot Anderson, Daly, Duncan, Ellison, Fiore, Grady, Hambrick, Kirkpatrick, Livermore, Munford, Oscarson, Sprinkle, Stewart, and Wheeler; Senators Gustavson and Parks:

Assembly Bill No. 111—AN ACT relating to motor vehicles; requiring that special license plates provided to disabled veterans of the Armed Forces of the United States bear the international symbol of access; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Kirner, Hickey, Duncan, Ellison, Fiore, Grady, Hambrick, Livermore, Munford, Oscarson, Stewart, and Wheeler; Senators Gustavson and Kieckhefer:

Assembly Bill No. 112—AN ACT relating to local governments; providing that a collective bargaining agreement between a local government employer and a recognized employee organization expires for certain purposes at the end of the term stated in the agreement; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 113—AN ACT relating to sex trafficking; amending provisions concerning the admissibility of certain evidence in a prosecution for sex trafficking; amending various provisions concerning the crime of sex trafficking; revising various provisions governing the penalties for sex trafficking; authorizing victims of sex trafficking to obtain compensation from the Fund for Compensation of Victims of Crime under certain circumstances; prohibiting the consideration of certain conduct by a victim of sex trafficking in determining whether to order compensation from the Fund; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Horne, Kirkpatrick, Frierson, Healey, Bobzien, Paul Anderson, Eisen, Ellison, Flores, Hardy, Hickey, and Kirner; Senators Atkinson, Kihuen, Denis, Smith, Manendo, Ford, Hammond, and Settlemeyer:

Assembly Bill No. 114—AN ACT relating to gaming; defining certain terms related to interactive gaming; authorizing the Governor to enter into agreements with other states to conduct interactive gaming; revising provisions relating to the Gaming Policy Committee; prohibiting the issuance of licenses to operate interactive gaming to certain persons; revising provisions related to interactive gaming; and providing other matters properly relating thereto.

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

Motion carried.

#### UNFINISHED BUSINESS

#### SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Resolution No. 4; Senate Concurrent Resolutions Nos. 2, 3.

#### 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 Christine Millard and Connie Westadt.



On request of Assemblyman Paul Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Gary Nitzberg and Denise Geissinger.

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Jim Rodriguez and Mike Baughman.

On request of Assemblyman Bobzien, the privilege of the floor of the Assembly Chamber for this day was extended to John Vettel, Nora Pontes, Justin Williams, and John Tull.

On request of Assemblywoman Bustamante Adams, the privilege of the floor of the Assembly Chamber for this day was extended to Morgan Watson.

On request of Assemblyman Carrillo, the privilege of the floor of the Assembly Chamber for this day was extended to Bobby Bean and Stevan Lyon.

On request of Assemblywoman Cohen, the privilege of the floor of the Assembly Chamber for this day was extended to Don Langson and Bradley Miller.

On request of Assemblywoman Diaz, the privilege of the floor of the Assembly Chamber for this day was extended to Ralph Denney and Linda Cuddy.

On request of Assemblyman Eisen, the privilege of the floor of the Assembly Chamber for this day was extended to Caroline Panches, Chris Bayer, Wendy Thomas, and Frank Cutrone.

On request of Assemblyman Ellison, the privilege of the floor of the Assembly Chamber for this day was extended to Mayor Emily Carter.

On request of Assemblywoman Fiore, the privilege of the floor of the Assembly Chamber for this day was extended to Pat Vasquez and Joey Parker.

On request of Assemblyman Hambrick, the privilege of the floor of the Assembly Chamber for this day was extended to Kathleen Fox-Williams and Cheryl Knight.

On request of Assemblyman Hansen, the privilege of the floor of the Assembly Chamber for this day was extended to Fred Webb and Mellene Webb.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Ron Smith and Lauren Jensen.

On request of Assemblyman Ohrenschall, the privilege of the floor of the Assembly Chamber for this day was extended to Vicki Preston, Tonia Porada, and Janette Dean.

On request of Assemblyman Oscarson, the privilege of the floor of the Assembly Chamber for this day was extended to Bill Knight and Brooklyn Maw.

On request of Assemblywoman Pierce, the privilege of the floor of the Assembly Chamber for this day was extended to Catherine Murdock.

On request of Assemblywoman Spiegel, the privilege of the floor of the Assembly Chamber for this day was extended to Bob Langson.

On request of Assemblyman Sprinkle, the privilege of the floor of the Assembly Chamber for this day was extended to Larry Messina and Rob Scanland.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Angela Brommel, Kathryn Landry, and Dennis Johnson.

On request of Assemblywoman Swank, the privilege of the floor of the Assembly Chamber for this day was extended to Bob White and Cali Thompson-Czech.

On request of Assemblyman Wheeler, the privilege of the floor of the Assembly Chamber for this day was extended to Susan Pintar and Ron Knecht.

Assemblyman Horne moved that the Assembly adjourn until Thursday, February 14, 2013, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:14 p.m.

Approved:

MARILYN K. KIRKPATRICK  
*Speaker of the Assembly*

Attest: SUSAN FURLONG  
Chief Clerk of the Assembly