

THE TWENTY-SIXTH DAY

CARSON CITY (Friday), March 1, 2013

Assembly called to order at 11:09 a.m.

Madam Speaker presiding.

Roll called.

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

Prayer by the Chaplain, Pastor Bob Chambers.

Gracious and Sovereign Lord,

We come before You this day and give You praise for Your loving kindness. We acknowledge You as the giver of every good and perfect gift. We also acknowledge that You have blessed us with men and women who sacrificially serve their communities and this state. We thank each one for their service. I ask that You give them strength when the hours are long, wisdom when the problems are great, the ability to treat each other with respect no matter how great the differences, and most of all, the wisdom which comes from above. Please bless each member of this body today.

In the strong name of a Loving God.

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.

Madam Speaker appointed Assemblywoman Flores and Assemblyman Duncan as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Nevada Supreme Court Chief Justice Kristina Pickering.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 27, 2013

To the Honorable the Assembly:

It is my pleasure to inform your esteemed body that the Senate on this day passed Senate Bill No. 29.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Horne moved that the following persons as set forth on the Nevada Legislature's Press Accreditation List of March 1, 2013, be accepted as accredited press representatives, that they be assigned space at the press table, and that they be allowed use of appropriate broadcasting facilities:

KOLO-TV: Chris Buckley; RENO GAZETTE-JOURNAL: Marilyn Newton; UNIVISION TELEVISION: Jose Gonzalez.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Bobzien, Kirkpatrick, Eisen, Elliot Anderson, Frierson, Aizley, Benitez-Thompson, Carlton, Cohen, Daly, Dondero Loop, Healey, Ohrenschall, Pierce, Spiegel, and Swank; Senators Denis, Atkinson, Jones, and Smith:

Assembly Bill No. 181—AN ACT relating to employment; prohibiting employers from conditioning employment on access to an employee's social media account; prohibiting a person from requesting or considering 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 Bobzien moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Carrillo:

Assembly Bill No. 182—AN ACT relating to liens; authorizing owners of storage facilities to impose a reasonable late fee if rent for a storage space is not paid when due; requiring a peace officer of a local law enforcement agency to remove a person residing in a storage facility within 24 hours after a request by the owner of the storage facility; authorizing the owner of a storage facility to deny an occupant access to his or her storage space if rent owed by the occupant remains unpaid for 5 days or more; revising various provisions governing liens of owners of storage facilities; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

The President of the Senate and members of the Senate appeared before the bar of the Assembly.

Madam Speaker invited the President of the Senate to the Speaker's rostrum.

Madam Speaker invited the members of the Senate to chairs in the Assembly.

IN JOINT SESSION

At 11:19 a.m.

President of the Senate presiding.

The Secretary of the Senate called the Senate roll.

All present.

The Chief Clerk of the Assembly called the Assembly roll.

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

The President of the Senate appointed a Committee on Escort consisting of Senator Hammond and Assemblyman Frierson to escort the Justices of the Supreme Court into the Assembly Chamber.

The President of the Senate appointed a Committee on Escort consisting of Senator Hutchison and Assemblyman Horne to wait upon The Honorable Chief Justice Kristina Pickering and escort her to the Assembly Chamber.

The Committee on Escort in company of the Justices of the Nevada Supreme Court appeared before the bar of the Assembly.

The Committee on Escort in company with The Honorable Nevada Supreme Court Chief Justice Kristina Pickering, appeared before the bar of the Assembly.

The Committee on Escort escorted the Chief Justice to the rostrum.

Madam Speaker welcomed Chief Justice Pickering and invited her to deliver her message.

Chief Justice Pickering delivered her message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA
SEVENTY-SEVENTH SESSION, 2013

Governor Sandoval, Madam Speaker, Mr. President, distinguished members of the Legislature, constitutional officers, and honored guests. Thank you for giving me the opportunity to speak to you on behalf of the Nevada judiciary.

First, let me introduce my colleagues on the Supreme Court: Associate Chief Justice Mark Gibbons, Justice Hardesty, Justice Douglas, and Justice Saitta. Justice Parraguire is in Las Vegas today attending to a family medical emergency, and Justice Cherry is in San Francisco participating in an indigent defense panel. They asked that I send their regards and their regrets that they could not be here personally. I would also like to introduce the Clerk of the Supreme Court, Tracie Lindeman, and the Director of the Administrative Office of the Courts, Robin Sweet. I count myself privileged to speak on their behalf.

I am also privileged to speak on behalf of the 82 district court judges, 67 justices of the peace, 30 municipal court judges, and the nearly 2,000 Judicial Branch employees who make up our Nevada court system. Together, the Judicial Branch officers and employees work to provide a fair and safe place for resolving family, criminal, civil, and juvenile disputes according to the rule of law. Every day, we strive to fulfill our constitutional obligation to provide timely access to justice; to resolve disputes fairly, impartially, efficiently, and as quickly as budgets and caseloads permit; and to preserve, in the process, community welfare and safety. I am proud to

serve with these dedicated public servants, and I thank them for their commitment to the administration of justice in Nevada.

My task today is to report on the work of Nevada's courts over the past biennium. In doing so, I hope to lay the groundwork for a productive dialogue with you concerning the funding and legislation needed to continue to deliver adequate judicial services to the citizens we mutually serve. I will first discuss the work of the trial courts and then turn to that of the Supreme Court. Finally, I will comment on S.J.R. 14, its importance to Nevada, and outline the work it will take to make a court of appeals a reality in our state.

I'd like to frame the discussion with reference to the important work by the American Bar Association [ABA] in 2011. On August 9, 2011, the American Bar Association House of Delegates met to consider the report of the ABA Task Force on Preservation of the Justice System. Led by former Solicitor General Theodore Olson and attorney David Boies, the Task Force reports that:

. . . over the past few years, the courts of virtually every state have been forced into debilitating combinations of hiring freezes, pay cuts, . . . furloughs, staff layoffs, . . . and outright closures. These reductions in court staff and related resources have come at the very time when the demand for the judicial resolution of economic claims has increased dramatically. . . .

Since judicial budgets consist almost entirely of personnel costs, the courts do not have the ability simply to postpone expensive items to a more robust economic time; and thus reductions in court funding directly and immediately curtail meaningful access to the justice system.

When that happens, the costs to society are great. The undue delay or outright denial of effective judicial action results not only in further harm to those who need prompt and fair resolution of their disputes, but also, in many instances, to more overcrowded prisons, threats to public safety, and harm to those, such as broken families, in greatest need of legal support.

These are the direct costs. But there are indirect costs, as well. Indirect costs include the economic loss that follows when businesses and citizens are stymied by delays in resolving civil and family disputes. With their assets tied up in litigation and their financial future uncertain, they cannot invest, hire, or put their resources to other, more productive uses. Using the Los Angeles Superior Court system as an example, the report makes the point that court budget cuts and the consequent reduction in court services involve direct and indirect costs that far exceed the savings these cuts achieve—that they can be penny-wise and pound-foolish, in other words.

In response to this report, the American Bar Association has adopted resolutions that call for action on three fronts. First, state and local legislative bodies must establish a stable, predictable, and adequate funding system for their courts. Second, tradition is not an excuse for waste; today's courts must work smarter to ensure efficient delivery of court services and financial accountability. Third, those who use, fund, and serve the court system must seek out ways to better communicate to political decisionmakers and the public what the court system does and why it matters. I hope by these remarks to contribute to that goal.

The ABA Task Force Report I am referring to is entitled "Crisis in the Courts." It is only 20 pages, yet arguably the most significant study of our nation's courts in years, and I commend it to you.

Let me turn now to the work of Nevada's courts. Broadly, the court's job is to resolve disputes. What that means and why it matters enough to qualify the judiciary as one of the three, coequal branches of government is less clear. Again, quoting former Solicitor General Olson again, here is how he sums it up:

Every day, thousands and thousands of judges—jurists whose names we never hear, from our highest court to our most local tribunal—resolve controversies,

render justice, and help keep the peace by providing a safe, reliable, efficient and honest dispute resolution process. The pay is modest, the work is frequently quite challenging, and the outcome often controversial. For every winner in these cases, there is a loser. Many disputes are close calls, and the judge's decision is bound to be unpopular with someone.

But in this country we accept the decisions of judges, even when we disagree with them on the merits, because the process is vastly more important than any individual decision. Our courts are essential to an orderly, lawful society. And a robust and productive economy depends upon a consistent, predictable, evenhanded, and respected rule of law.

Our judiciary in Nevada is small in relation to the number of cases filed annually and the population, both resident and visitor, that we serve.

Nevada has 82 district court judges. These judges sit in ten judicial districts throughout the state and decide civil, criminal, family, and juvenile disputes. They also review arbitration awards, administrative law rulings, and petitions for judicial review arising out of Nevada's foreclosure mediation program.

We have, in addition, 67 justice courts and 30 municipal courts. The justice courts determine whether felony and gross misdemeanor cases have enough evidence to be bound over to the district court for trial. They also hear civil cases involving up to \$10,000, small claims, summary evictions, requests for temporary protective orders, and many traffic matters. The municipal courts hear matters that involve violation of city ordinances, including traffic violations within the municipality.

Nine individuals serve as both justices of the peace and municipal court judges. Thus, Nevada has 88 justices of the peace and municipal court judges. The math works out this way: Adding our 82 district court judges and 7 Supreme Court justices to the justices of the peace and municipal court justices, we have 177 judges total in this state, trial and appellate.

The chief judges of Nevada's two biggest judicial districts, Judge Jennifer Togliatti of the Eighth Judicial District Court in Clark County and Judge David Hardy of the Second Judicial District Court in Washoe County, are here today, and I would ask that they stand and be recognized. They, and we, appreciate the 2009 Legislature's support in passing A.B. 64, which added nine district judges in Clark County and one in Washoe County. Elected in November 2010, the new judges took office in January 2011. Their addition enabled the Eighth Judicial District Court in Fiscal Year 2012 to clear more cases—104,363 to be exact—than were filed, 94,740, reversing recent years' backlogging trends. In numerical terms, Clark County's 104,000-plus dispositions in FY 2012 amount to almost 20,000 more case dispositions than the preceding year.

Statewide, in Fiscal Year 2012, Nevada's district, justice, and municipal court judges disposed of almost 365,000 nontraffic matters. This works out to 1,000 nontraffic dispositions per calendar day, an extraordinary number given the small number of judicial officers and Judicial Branch employees that we have.

I am not telling you something new when I say that Nevada has been hit hard by the recession. But demand for court services does not slacken in hard economic times; it intensifies. The changing composition of our trial courts' caseloads shows this clearly. In recent years, increasing numbers of Nevadans have turned to the courts for help with family relationships ruined by unemployment, foreclosures, and substance abuse; with landlord-tenant disputes; and with business disputes made the more urgent by financial need. As an example, the number of family-related cases has steadily trended upwards. In Fiscal Year 2012, family-related cases made up more than half—fully 55 percent—of the statewide district court docket.

Adding to the trial courts' challenges, many citizens who need judicial services today cannot afford a lawyer. At the same time, rising demand and cuts in legal service provider budgets have reduced the availability of free legal help. This leaves citizens to either forego access to the courts altogether or to proceed on a *pro se*, or self-represented, basis. When parties represent themselves, judges and their staffs must devote additional time to provide the additional

guidance a lawyer would, at least to the extent they can do so without compromising their role as unbiased dispute resolvers.

Our trial courts are funded both locally and at the state level. Decreased funding, reduced workforces, mandatory furloughs, and the changing composition of our trial courts' caseloads has forced our trial courts to do more with less than ever before.

Our Nevada trial courts have risen to these challenges through resilience, innovation, and openness to change. This was brought home to me by an exchange I had with the President of the Nevada District Judges Association, Chief Judge Hardy, whom I introduced a moment ago. He submits that the financial challenges of recent years have created opportunities for improvement. In his words, and I quote:

We who serve in the trenches of justice are constantly innovating to realize better results for the citizens we serve. We are experimenting with calendar efficiencies, technological enhancements, specialized dockets, and alternative dispute resolution. [Nevada's trial court] judges are responding to the changing times by changing the way we do business.

Let me share a few, among many, examples of what Chief Judge Hardy is talking about.

In Clark County, a telecourt program has been put in place so mental health court proceedings can be conducted remotely by video link. Two hospitals in Clark County now have virtual courtrooms, allowing the proceedings to take place by audiovisual transmission rather than face-to-face court appearance. In many cases, this eliminates the need to transport mental health patients, which can be logistically challenging, costly, and potentially dangerous.

Another great example is Nevada's specialty courts. Throughout the state, Nevada's trial courts have been pioneers in the effective use of specialty courts. These courts focus on the root causes of certain kinds of crime—drug and alcohol addiction and mental illness—and they work to rehabilitate, rather than incarcerate, chronic offenders. Often, these programs involve multi-agency collaboration. Not all participants in these programs succeed, but for those who do succeed, a miracle happens, too, by which they come to claim their place as productive members of society.

Take the case of Adam A. He came into the Clark County DUI Court's serious offender program in October of 2009. He had to relocate from Ohio to participate. He came to Las Vegas with the clothes on his back and a wallet with a few dollars in it. He found a place to live in a sober living house. Days later, his wallet was stolen. He started the program pursuant to his plea bargain, nonetheless, and was able to get a job as a food server. He earned enough to pay his living expenses and for public transportation to get to counseling, support group meetings, and court appearances. Adam worked hard in treatment and within a year and a half, he got a job in sales, where he flourished. He became one of the top salesmen in his company, earning an income of more than six figures a year. District Judge Linda Bell, who worked with Adam A., writes "Today Adam has successfully completed the program and is happy, healthy, and sober. He is a productive member of society and . . . grateful for the program, the discipline it took to adhere to the requirements, and the opportunity to truly invest in his life and learn from his wrong choices."

If you have not been to a drug, youthful offender, or habitual offender graduation ceremony, I urge you to do so—the hard work, joy, and pride of accomplishment are radiant and overwhelming. These programs do not just benefit the participants and their families; they benefit the counties and the taxpayers by reducing the prison population and decreasing recidivism rates.

We have also pressed into service Nevada's senior or retired judges. There has been an unusually high number of trial court vacancies the past biennium owing to death or mid-term retirements. We have kept those dockets moving thanks to the help of 22 senior judges. In 2012, the senior judges provided the equivalent coverage of eight full-time district court judges, expediting cases that otherwise would have languished. Our senior judges have also done a yeoman's job covering the rural specialty courts and conducting settlement conferences. As an example, in December of 2011, senior judges engaged in a marathon settlement conference at

the Family Court in Clark County. Of the 94 cases heard, 71 were settled, a 75 percent success rate.

Now I would like to talk to you about the Nevada Supreme Court. As you know, the *Nevada Constitution* provides for a single appellate court: the Supreme Court. Because parties have a right to appellate review, the Supreme Court must—is constitutionally obligated to—hear and decide all direct appeals from all civil and criminal judgments entered by our 82 district court judges. We also consider writs, both original and appellate; administer the Nevada judicial system; supervise the Supreme Court Law Library, which is one of only three significant law libraries in the state; provide appellate review of judicial discipline; oversee the licensure and discipline of lawyers; participate in and oversee the work of important statewide commissions, such as those on access to justice, indigent defense, and juvenile justice reform; and discharge statutorily mandated obligations—a recent example: writing the rules for the foreclosure mediation program (FMP) and setting up FMP operations under the auspices of the Administrative Office of the Courts, as directed by the 2009 Legislature.

Historically, it took a trip to the courthouse to review a court record or hear an oral argument. Information technology has changed that, resulting in much greater public access and visibility. Oral arguments are webcast live on the Supreme Court’s website, so anyone with access to a computer can see and hear them in real time, as they occur. The podcasts are stored on the website so they can be reviewed later, conveniently, or copied to DVD.

And the court has gone to electronic filing. Each justice and staff member has immediate access to the briefs and appellate record through the Court’s C-Track appellate case management system. We also have a public portal, through which the public can access the briefs, motions, orders, and opinions in any given case. No longer do copies of these materials have to be obtained at \$1 a page from the clerk of the court, who in turn had to devote staff to copying jobs. They are available online and can be downloaded and printed for free.

While technology has facilitated the work of the court, it has not changed it fundamentally. Our court, as Nevada’s only appellate court, hears and decides three main types of cases. These case types are the same as those Justice Cardozo wrote about in 1921, describing his work on the New York Court of Appeals. First, there are the pure error correction cases—appeals that, in Cardozo’s words, “could not, with any semblance of reason, be decided in any way but one. The law and its application are plain.” Second, also a type of error correction case, are those in which “the rule of law is certain but the application alone doubtful.” In these cases, the “record must be dissected, the narratives of witnesses, more or less incoherent and unintelligible, must be analyzed. . . . Often these cases . . . provoke differences of opinion among judges. But jurisprudence remains untouched, regardless of the outcome in these cases.” Finally there are cases “where a decision one way or the other will count for the future, will advance or retard—sometimes much, sometimes little—the development of the law.” It is in this third category of cases that we find our work most demanding. We are called on in these cases to interpret unsettled issues of constitutional and statutory law and to add to the body of decisional law by creating and publishing precedential dispositions. These dispositions resolve the individual case, but they also create precedent by which future disputes can be decided or avoided altogether.

The subject matter of our Nevada Supreme Court’s published dispositions is varied and complex. Consider, for example, the last biennium. In that biennium, we have published opinions on water rights, tort law, gun rights under the *Nevada Constitution* and Second Amendment, state taxation, government finance, corporate governance, criminal law in both capital and noncapital cases, evidence, procedure, and election and ballot initiatives.

The Supreme Court’s caseload has increased year after year. It took 112 years—from statehood on October 31, 1864, until August 12, 1977—for the first 10,000 cases to be filed in the Nevada Supreme Court. Over the next 30 years, 40,000 more cases were filed; 10,000 of them were filed between 2002 and 2007. The 60,000th case was filed on January 9, 2012.

In 2012 alone, 2,500 cases were filed in our court. This works out to almost 365 cases per justice per year. Since we sit in panels of three or seven, in reality that number is at least three times higher than that, working out to three cases per justice per day, day in and day out,

throughout the year. This is one of the highest—perhaps the highest—caseloads of mandatory review cases per justice in the country.

The court is doing what it can to manage its caseload. We have a mandatory settlement program which applies to most civil appeals. In many error correction cases, we utilize staff attorneys to present recommended dispositions to three-justice panels. Despite these measures, the number of published dispositions, as a percentage of the total docket, has fallen and will likely continue to fall. It is quicker to write a memorandum disposition briefly explaining to the parties why one side lost and one side won than to author a published disposition. In 2012, filings exceeded the dispositions and will likely continue to do so. Delayed dispositions and lack of precedent by which citizens can predict outcomes and regulate their affairs are the result. This hurts not only citizens whose cases are delayed, but Nevada's nascent economic recovery as well. In 2012 the U.S. Chamber of Commerce reported that more than two-thirds—70 percent—of the counsel and senior executives surveyed stated that the quality of a state's judicial system is an important factor in deciding where to locate and where to do business.

Which brings me to S.J.R. 14. If passed by you this session and approved by the voters in 2014, S.J.R. 14 would amend the *Nevada Constitution* to provide for a court of appeals. My colleague, Justice Hardesty, and I took great heart in the Senate Judiciary Committee unanimously approving this measure as its first order of business. We thank the committee and its chair, and we also thank the Governor, whose office attended the Senate Judiciary hearing to express his wholehearted support for this measure.

The principal, perhaps only, argument I have heard against S.J.R. 14 is that a similar ballot measure did not pass statewide in 2010. To this criticism, I offer three responses. First, regardless of criticism, it would be irresponsible of me and my colleagues on the court not to report to you, the Nevada Legislature and to our citizens, just how serious a problem the court's growing caseload and backlog pose to individual litigants, small and large businesses, and the state as a whole. Second, Nevada's demographics are changing, as the poll released earlier this week by the Retail Association of Nevada shows. That poll was conducted by Glen Bolger, a very respected polling firm, and it shows that today's Nevadans, by a margin of 48 percent to 42 percent, favor amending the Constitution to provide for a court of appeals. In other words, attitudes have changed. Third, we can and must do a better job explaining the court of appeals to the voters—that it would speed up dispositions, not delay them, because the error correction cases assigned to the court of appeals, the first category of cases I alluded to a moment ago, will stop there, at the court of appeals. And we also need to do a better job of acquainting the voters with the push-down model the court of appeals would follow. Under this model, cases would be filed centrally in a clerk's office and either kept in the Supreme Court or pushed down to the court of appeals, depending on the category into which they fall. As a result, there are few added costs beyond the three court of appeals judges and their chambers staff. Just as adding district court judges helped expedite case resolution in Clark County, adding appellate judges will help expedite the appeal process.

As the chair of the Senate Judiciary Committee said, the key to S.J.R. 14's success is “for us to get behind it once it is on the ballot and make sure that there is a united voice explaining to the citizens of Nevada that this matter is critical. Nevada is at a turning point where voters are starting to realize that we are no longer that little state that we all grew up in. We have to move into the twenty-first century, and S.J.R. 14 will be a major part of that.” Thank you, Senator.

Standing before you this morning, with Lincoln's portrait at my back, it is impossible not to feel the press of history, to imagine the footfalls of those who came before and will follow us. Next year marks Nevada's 150th birthday, its sesquicentennial. To put time in perspective, our Constitution was adopted, and Nevada's judiciary established, just months before Lincoln was assassinated. History will not long remember most of us, perhaps not even any of us. But it will judge us by the legacy we leave. We in the judiciary deeply appreciate the cooperation we have historically enjoyed with our Legislative and Executive Branch partners, and we hope that, together, we make positive, lasting contributions to Nevada's future in the remaining weeks of this session.

Thank you and God speed.

Senator Jones moved that the Senate and Assembly in Joint Session extend a vote of thanks to Chief Justice Pickering for her timely, able, and constructive message.

Seconded by Assemblyman Ohrenschall.

Motion carried unanimously.

The Committee on Escort escorted Chief Justice Pickering to the bar of the Assembly.

The Committee on Escort escorted the Justices of the Nevada Supreme Court to the bar of the Assembly.

Assemblywoman Cohen moved that the Joint Session be dissolved.

Seconded by Senator Gustavson.

Motion carried.

Joint Session dissolved at 11:58 a.m.

ASSEMBLY IN SESSION

At 12:02 p.m.

Madam Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Duncan, Paul Anderson, Sprinkle, Hickey, Aizley, Cohen, Ellison, Fiore, Flores, Grady, Hambrick, Hansen, Hardy, Kirner, Livermore, Martin, Munford, Ohrenschall, Oscarson, Spiegel, Stewart, Wheeler, and Woodbury:

Assembly Bill No. 183—AN ACT relating to blood donation; allowing a person who is 16 years of age to donate his or her blood with the consent of his or her parent or guardian; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Duncan, Hickey, Hardy, Fiore, Hansen, Paul Anderson, Ellison, Grady, Hambrick, Kirner, Livermore, Oscarson, Stewart, Wheeler, and Woodbury; Senators Cegavske and Gustavson:

Assembly Bill No. 184—AN ACT relating to constructional defects; revising the definition of “constructional defect”; providing that a claimant may not recover attorney’s fees as damages; requiring an attorney to obtain an affidavit from a claimant and file the affidavit with the court under certain circumstances; revising the statutes of repose regarding actions for damages resulting from certain deficiencies in construction; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 185—AN ACT relating to labor; authorizing the Labor Commissioner to enter into a memorandum of understanding with the United States Department of Labor to promote compliance with labor laws of common concern; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 186—AN ACT relating to labor; creating the Wage Claim Restitution Account; requiring an employer to provide to his or her employees at the time of hire written notice containing certain employment-related information on a form prescribed by the Labor Commissioner; requiring an employer to obtain from an employee acknowledgment of receipt of the notice; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 187—AN ACT relating to retail installment contracts; revising provisions relating to retail installment contracts; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 188—AN ACT relating to optometry; revising provisions governing the practice of optometry; revising provisions relating to accreditation by the Nevada State Board of Optometry of schools of optometry; revising provisions relating to the suspension of licenses of certain licensees; authorizing the Board to impose administrative fines for certain violations by any person; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 189—AN ACT relating to motor vehicles; providing for the issuance of special license plates to advance the research, early detection and treatment of neurological diseases; imposing a fee for the issuance or renewal of such license plates; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Assembly Bill No. 190—AN ACT relating to the Legislature; requiring legislative lobbyists to file reports concerning lobbying activities after the end of each calendar quarter in which the Legislature is not in session; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Stewart, Ellison and Kirner:

Assembly Bill No. 191—AN ACT relating to the Legislature; revising the number of legislative measures that Legislators are authorized to request; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Cohen, Diaz, Kirkpatrick, Flores, Carlton, Elliot Anderson, Bustamante Adams, Carrillo, Dondero Loop, Eisen, Frierson, Healey, Martin, Ohrenschall, Oscarson, Pierce, Spiegel, Stewart, and Swank:

Assembly Bill No. 192—AN ACT relating to county clerks; repealing the prospective expiration of the authority of county clerks to charge and collect an additional fee for filing and recording a bond of a notary public; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 29.

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

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Diaz, the privilege of the floor of the Assembly Chamber for this day was extended to Denise Davis and Todd Westergard.

On request of Assemblyman Eisen, the privilege of the floor of the Assembly Chamber for this day was extended to Steve Dalton and Andres Moses.

On request of Assemblywoman Fiore, the privilege of the floor of the Assembly Chamber for this day was extended to Amerika Young and Ken Eastman.

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

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Steve Grierson.

On request of Assemblyman Livermore, the privilege of the floor of the Assembly Chamber for this day was extended to James Todd Russell.

On request of Assemblyman Martin, the privilege of the floor of the Assembly Chamber for this day was extended to Marvin Carter, Dana Barooshian, and Paula Rudolph.

On request of Assemblyman Ohrenschall, the privilege of the floor of the Assembly Chamber for this day was extended to Maggie McCletchie.

On request of Assemblyman Sprinkle, the privilege of the floor of the Assembly Chamber for this day was extended to Barbara McCarthy.

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

On request of Assemblyman Wheeler, the privilege of the floor of the Assembly Chamber for this day was extended to James Wilson, Thomas Perkins, and Michael Gibbons.

On request of Assemblywoman Woodbury, the privilege of the floor of the Assembly Chamber for this day was extended to Celssie Hardy.

Assemblyman Horne moved that the Assembly adjourn until Monday, March 4, 2013, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:10 p.m.

Approved:

MARILYN K. KIRKPATRICK
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly