

THE EIGHTY-SECOND DAY

CARSON CITY (Friday), April 26, 2013

Assembly called to order at 8 a.m.

Madam Speaker presiding.

Roll called.

All present except Assemblywomen Benitez-Thompson and Pierce, who were excused.

Prayer by the Chaplain, Pastor Dixie Jennings-Teats.

In the midst of changing times, give us, O' Thou Who Hast Forever Been, new eyes to see the hopeful possibilities unfolding of a more just and human future. Give us the wisdom to listen deeply to each other, to the Earth, to Your direction for us. In a week of unprecedented changes, we give thanks for insights and understanding in places of unity, and for the willingness to continue conversations where there are places of disagreement. Renew the members of this body, that they might continue to work together on behalf of all Your people. In the Spirit of Love we pray.

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.

GENERAL FILE AND THIRD READING

Senate Bill No. 510.

Bill read third time.

The following amendment was proposed by Assemblywoman Kirkpatrick:

Amendment No. 587.

AN ACT relating to education; temporarily delaying the statutory deadline for notifying certain school district employees of reemployment status for the 2013-2014 year; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the board of trustees of each school district to notify, on or before May 1 of each year, the postprobationary and probationary employees who are employed by the board of trustees of the reemployment status of those employees for the next school year. Existing law also requires those employees to notify the board of trustees, on or before May 10, of the acceptance of such reemployment. (NRS 391.3196, 391.3197) This bill extends those dates to May 15 and 28, 2013, respectively, for the current

fiscal year ~~1~~ in counties whose population is less than 700,000 (currently all counties other than Clark County).

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. ~~Notwithstanding~~ Except as otherwise provided in subsection 2:

~~(a)~~ **(a) Notwithstanding** the provisions of NRS 391.3196 or any other statute to the contrary, on or before May 15, 2013, the board of trustees of each school district shall notify the postprobationary employees in their employ as of the effective date of this act concerning the reemployment status of those employees for the 2013-2014 year. If the board of trustees, or a person designated by the board of trustees, fails to notify a postprobationary employee on or before May 15, 2013, of his or her employment status for the next year, the employee shall be deemed reemployed for the next year under the same terms and conditions as he or she is employed for the current year.

~~2~~ **(b)** Notwithstanding the provisions of NRS 391.3197 or any other statute to the contrary, on or before May 15, 2013, the board of trustees of each school district shall notify the probationary employees in their employ as of the effective date of this act concerning the reemployment status of those employees for the 2013-2014 year.

~~3~~ **(c)** Notwithstanding the provisions of NRS 391.3196 or 391.3197 or any other statute to the contrary, a postprobationary or probationary employee who receives a notice of reemployment pursuant to ~~subsection 1 or 2~~ **paragraph (a) or (b)**, as applicable, shall, on or before May 28, 2013, notify the board of trustees of the school district in writing of the employee's acceptance of the employment. The failure of a postprobationary or probationary employee to provide notification on or before May 28, 2013, of the employee's acceptance of reemployment for the next year is conclusive evidence of the employee's rejection of the contract.

~~4~~ **(d)** If a school district or an agreement entered by a school district requires a postprobationary or probationary employee in the employ of the school district as of the effective date of this act to provide notice to the school district of the employee's intent to seek employment elsewhere or otherwise discontinue his or her employment with the school district for the next year, the school district shall extend the time by which such notice is due by 10 days.

~~5~~ **2. The provisions of subsection 1 do not apply to the board of trustees of a school district in a county whose population is 700,000 or more or to such a school district's postprobationary employees or probationary employees.**

3. As used in this section, “postprobationary employee” and “probationary employee” have the meanings ascribed to them in NRS 391.311.

Sec. 2. This act becomes effective upon passage and approval and expires by limitation on July 1, 2013.

Assemblywoman Carlton moved the adoption of the amendment.

Remarks by Assemblywoman Carlton.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Horne moved that the Assembly dispense with the reprinting of Senate Bill No. 510 and that it be placed at the top of the General File for approval and final passage.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 510.

Bill read third time.

Remarks by Assemblywoman Carlton and Madam Speaker.

ASSEMBLYWOMAN CARLTON:

You have an excellent amendment here. It excludes Clark County from this notification scheme. If anybody needs any more information, ask the Speaker.

Madam Speaker requested the privilege of the Chair for the purpose of making the following remarks:

In the past we did not adopt the budgets for the school districts until after May 1. However, every other year it becomes a problem because they do not have their budget where they can notify people on how many positions will stay and how many will go away. So we have done this for about three sessions. Typically we like to have a little more time to get it done. However, we are here and we are going to get it done.

ASSEMBLYWOMAN CARLTON:

I wholeheartedly ask the body to approve this amendment.

Roll call on Senate Bill No. 510:

YEAS—40.

NAYS—None.

EXCUSED—Benitez-Thompson, Pierce—2.

Senate Bill No. 510 having received a constitutional majority, Madam Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 15.

Bill read third time.

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

Assembly in recess at 8:09 a.m.

ASSEMBLY IN SESSION

At 8:10 a.m.

Madam Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Horne moved that Senate Joint Resolution No. 15 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

REMARKS FROM THE FLOOR

Assemblyman Elliot Anderson requested that the following proclamation be entered in the Journal.

Motion carried.

PROCLAMATION

PROCLAMATION—Congratulating the softball team of the 77th Session of the Nevada Assembly and expressing the will of the 77th Session of the Nevada Assembly to ensure that the softball trophy due to the softball team of the Nevada Assembly is returned to the Assembly.

WHEREAS, The Nevada Assembly and Senate play a regular biennial softball game; and

WHEREAS, The Secretary of the Senate and the front desk of the Senate spent the previous week ensuring their Assembly counterparts that they would win the regular biennial softball game; and

WHEREAS, The Assembly and Senate commenced the regular biennial softball game for the 77th Regular Session on April 25th, 2013; and

WHEREAS, After a long, tireless, and grueling practice schedule the Assembly softball team prevailed over the Senate team by a score of 8-7; and

WHEREAS, After the Senate lost this regular biennial softball game, the Senate neglected to bring the regular biennial softball game trophy to Western Nevada College for presentment to the winners; and

WHEREAS, the Secretary of the Senate tweeted remarks that the Senate “lost” the regular biennial softball trophy; and therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, The Senate has an obligation, adopted under the rules of the regular biennial softball game, to ensure that the trophy for the regular biennial game was at the regular biennial softball game; and be it further

RESOLVED, That since the Secretary of the Senate insisted on regularly informing his Assembly counterparts that the Senate would win the regular biennial softball game and failed to bring the trophy to the regular biennial softball game; and be it further

RESOLVED, That the Speaker of the 77th Session of the Nevada Assembly shall appoint a committee of three members of the 77th Session of the Nevada Assembly for the purpose of securing the trophy due to the winners of the regular biennial softball game; and be it further

RESOLVED, That the 77th Session of the Nevada Assembly thanks Coach Andrew Diss for his hard work in ensuring the trophy be returned to the people's house and that this resolution shall be entered upon the Journal of the Assembly.

MARILYN K. KIRKPATRICK
Speaker of the Assembly

SUSAN FURLONG
Chief Clerk of the Assembly

Assemblyman Elliot Anderson requested that the following remarks be entered in the Journal.

Motion carried.

ASSEMBLYMAN ELLIOT ANDERSON:

I rise today in celebration. For those in the body and the gallery that are unaware, historic events took place last night. Your Assembly softball team—backed up by a constitutional majority of red shirts in the crowd—said before the game that the winds of triumph would blow in our favor.

Madam Speaker, I would warn the Senate for next session not to take the word “slowpitch” so literally and not to underestimate the House of Dini, Buckley, Carpenter, Marvel, and Kirkpatrick. The house of quiet confidence and a steadfast heart; the house of hunters that emerged victorious upon this session's game. The Senate enjoys reminding this honorable body, Madam Speaker, that they are the upper house, however, they are not this morning.

With that, I would recommend your pitcher—Minority Leader and colleague from District 25—the member from District 13, and the member from District 15 retrieve the trophy.

Madam Speaker requested the privilege of the Chair for the purpose of making the following remarks:

At this time I will appoint a special committee to secure the trophy due to the winners of the regular biennial softball game.

Mr. Byerman, thank you so much for saving us the trip. If I could ask for one more special thing that you could do for us? Being that we love our colleagues in the Senate, could you tweet that we so graciously accepted the trophy?

SECRETARY OF THE SENATE DAVID BYERMAN:

I will also tweet that we will have it back in two years.

Madam Speaker requested the privilege of the Chair for the purpose of making the following remarks:

Okay, fair enough. Thank you.

Somebody who is on Twitter, please let me know to make sure he keeps his word. I would hate to do another proclamation.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Concurrent Resolution No. 5.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Elliot Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Richard Andrews.

On request of Assemblyman Duncan, the privilege of the floor of the Assembly Chamber for this day was extended to George Kosbab and Sal Ledesma.

On request of Assemblyman Hansen, the privilege of the floor of the Assembly Chamber for this day was extended to Ed Fox, Arthur Jones, and the following students, teachers, and chaperones from Denio School: Tyson Breshears, Estefani Barocio, Lane Johnson, Belen Barocio, Alex Barocio, Mattie Rose Johnson, Layton Johnson, Mary Thibodeaux, Melanie Grecco, Janet Johnson, Lorena Barocio, and Amie Breshears.

On request of Assemblyman Oscarson, the privilege of the floor of the Assembly Chamber for this day was extended to Don Oscarson, Shirley Oscarson, and Rebecca Oscarson.

Assemblyman Horne moved that the Assembly adjourn until Tuesday, April 30, 2013, at 11:30 a.m.

Motion carried.

Assembly adjourned at 8:18 a.m.

Approved:

MARILYN K. KIRKPATRICK
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly