The

Journal of the Assembly

OF THE

SIXTY-SECOND SESSION

OF THE

LEGISLATURE OF THE STATE OF NEVADA

1983

BEGUN ON MONDAY, THE SEVENTEENTH DAY OF JANUARY, AND ENDED ON SUNDAY, THE TWENTY-SECOND DAY OF MAY



SPO, CARSON CITY, NEVADA, 1984

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ASSEMBLY LEGISLATIVE CALENDAR

(The Assembly actually met for a total of 90 days, though the session lasted through 126 calendar days; the table below is numbered by calendar days.)

Calendar Day	Date	Page Number
1	January 17, 1983	1
2	January 18, 1983	17
3	January 19, 1983	21
4	January 20, 1983	36
5	January 21, 1983	41
8	January 24, 1983	47
9	January 25, 1983	58
10	January 26, 1983	66
11	January 27, 1983	72
15	January 31, 1983	78
16	February 1, 1983	89
17	February 2, 1983	93
18	February 3, 1983	99
19	February 4, 1983	104
22	February 7, 1983	110
23	February 8, 1983	118
24	February 9, 1983	124
25	February 10, 1983	133
29	February 14, 1983	145
30	February 15, 1983	151
31	February 16, 1983	161
32	February 17, 1983	168
33	February 18, 1983	187
36	February 21, 1983	197
37	February 22, 1983	203
38	February 23, 1983	209
39	February 24, 1983	218
40	February 25, 1983	227
43	February 28, 1983	234
44	March 1, 1983	245
45	March 2, 1983	252
46	March 3, 1983	263
47	March 4, 1983	274
50	March 7, 1983	283
51	March 8, 1983	289
52	March 9, 1983	304
53	March 10, 1983	309
54	March 11, 1983	319
57	March 14, 1983	330
58	March 15, 1983	341
59	March 16, 1983	348
60	March 17, 1983	360
64	March 21, 1983	372
65	March 22, 1983	390
66	March 23, 1983	403
67	March 24, 1983	413
68	March 25, 1983	426
71	March 28, 1983	437
72	March 29, 1983	444
73	March 30, 1983	458

ASSEMBLY LEGISLATIVE CALENDAR—Continued

Calendar Day	Date	Page Number
74	March 31, 1983	470
79	April 5, 1983	477
80	April 6, 1983	497
81	April 7, 1983	515
82	April 8, 1983	534
85	April 11, 1983	550
86	April 12, 1983	572
87	April 13, 1983	591
88	April 14, 1983	598
89	April 15, 1983	615
92	April 18, 1983	628
93	April 19, 1983	643
94	April 20, 1983	658
95	April 21, 1983	676
96	April 22, 1983	689
99	April 25, 1983	706
100	April 26, 1983	720
101	April 27, 1983	746
102	April 28, 1983	763
103	April 29, 1983	805
106	May 2, 1983	824
107	May 3, 1983	842
108	May 4, 1983	875
109	May 5, 1983	911
110	May 6, 1983	940
111	May 7, 1983	966
113	May 9, 1983	980
114	May 10, 1983	997
115	May 11, 1983	1042
116	May 12, 1983	1086
117	May 13, 1983	1123
118	May 14, 1983	1178
119	May 15, 1983	1211
120	May 16, 1983	1246
121	May 17, 1983	1302
122	May 18, 1983	1324
123	May 19, 1983	1345
124	May 20, 1983	1416
125	May 21, 1983	1458
126	May 22, 1983	1510

LISTING OF ASSEMBLY BILLS AND ACTION THEREON

(Where a roll call vote was taken on final passage, such action is denoted by an asterisk following the page number.)

No. *Summary, Introducer and Page Reference*

1 ..... Requires filing of financing statement covering movable farm products or equipment used in farming with secretary of state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Redelsperger, Bergevin and Marvel. 11, 118, 131, 141,* 252, 272.

2 ..... Makes appropriation for bill drafts for executive agencies and judiciary for 62nd session. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Dini and Vergiels. 12, 849, 861, 887,* 1059, 1122.

3 ..... Changes distribution of bills and legislative publications. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini and Vergiels. 12, 14,* 39, 45.

4 ..... Increases fee for bill books. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini and Vergiels. 12, 14,* 21, 40.

5 ..... Increases wages deemed earned by volunteer firemen for purposes of industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Dini, Getto, Bergevin, Marvel, Redelsperger and Bilyeu. 17, 66, 72, 764, 808,* 1059, 1122.

6 ..... Revises certain procedures of legislative auditor. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini and Vergiels. 18, 79, 91, 96,* 209, 232, 233, 241.

7 ..... Limits exemption from service as juror to most recent enumeration. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 18, 47, 59, 68, 69,* 209, 225.

8 ..... Corrects references to minimum wage and removes specified rate of interest in provisions governing executions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 18, 47, 59, 72,* 209, 225.

9 ..... Relaxes requirements of notice for tort claims against local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 18, 47, 59, 72, 73,* 209, 225.

10 ..... Repeals requirement to disclose intent to make public offer for shares of private corporation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 18. 104, 113, 122,* 209, 225.

11 ..... Clarifies ambiguities in certain statutory provisions relating to homesteads. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 18, 41, 48, 60,* 209, 225.

12 ..... Repeals presumption of embezzlement arising from failure to return leased, rented vehicle to owner. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 19.

13 ..... Excludes all judicial proceedings from requirement for open and public meetings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 19, 41, 48, 60,* 535, 571.

14 ..... Changes certain requirements on motor carriers of interstate commerce and provides opportunity for hearing before suspension of certificate, permit or license of motor carrier. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 19, 78, 91, 96, 97,* 197, 208.

No. *Summary, Introducer and Page Reference*

15.....Limits imposition of death penalty for murder committed in course of another felony. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 19, 58, 68, 79,* 426, 454, 467.

16.....Provides for lapse of mineral rights with reversion to owner of surface after certain period of disuse. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Marvel, Price and Bergevin. 19.

17.....Limits requirement for protective headgear while driving or riding on motorcycle. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone, DuBois, Nevin, Humke, Redelsperger, Kerns, Bogaert, Nicholas, Zimmer and Ham. 21, 886, 900, 916.*

18.....Makes changes in handling of money by state board of examiners. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 22, 79, 91, 97,* 245, 261.

19.....Abolishes division for cooperative services within Nevada state library. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 22, 444, 460, 474,* 689, 718.

20.....Requires personnel division to consult with outside experts in improving its data processing system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Government Affairs. 22, 168, 187, 206.

21.....Removes requirement for prior legislative approval of changes of state positions from one occupational class or subclass to another. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 22, 73, 78, 91.

22.....Revises provisions governing classified and unclassified service of state and designation of positions therein. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 22.

23.....Provides incentives to employees in classified service of state for performance above standard. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 23.

24.....Revises provisions governing suspension of requirement for competitive examination for positions in classified service of state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 23, 153, 163, 174,* 360, 388.

25.....Requires establishment of objectives and policies for personnel division. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 23, 73, 78, 91,* 360, 388.

26.....Provides reward for state employees who do not use sick leave for specified period of time. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 23.

27.....Removes provision for veterans' preferences on promotional examinations in classified service of state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 23.

28.....Provides requirements for the composition of the advisory personnel commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 23, 195, 199, 215,* 361, 369, 403, 404, 498, 524, 986, 1043, 1048, 1052, 1071, 1072,* 1111, 1210.

29.....Revises provisions governing disciplinary proceedings in state personnel system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 24, 168, 188, 200,* 360.

No. *Summary, Introducer and Page Reference*

30..... Allows consideration of factors in addition to prevailing rates in setting salaries for classified service of state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 24.

31..... Provides for protection of certain uses of land from lawsuits and prohibitory ordinances and regulations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Ham, Dini, Marvel, Thompson and Bergevin. 24.

32..... Makes appropriation from state highway fund to state general fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Ways and Means. 36, 78, 91, 97,* 209, 225.

33..... Provides for allocation of money for facilities and equipment of community training centers for retarded persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Health and Welfare. 37, 101.

34..... Limits local control over location of housing for mentally retarded persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 37, 161, 177, 193,* 341, 359.

35..... Extends responsibilities of equal rights commission to include protection for mentally retarded persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 37.

36..... Provides specifically for contributions to cost of care, support and maintenance of mentally retarded adults in state facilities and provides exceptions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 37.

37..... Establishes office of public guardian to serve certain mentally retarded and mentally ill persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 37.

38..... Expands program for assistance to parents or relatives caring for profoundly retarded persons in the home. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Health and Welfare. 38, 101.

39..... Sets requirements for advertisements in foreign language by certain notaries public. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Berkley. 38, 210, 219, 238, 239,* 471, 494.

40..... Clarifies and amends Juvenile Court Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone, Joerg and Thomas. 38, 218, 229, 248, 268.*

41..... Changes requirements for conversion of mobile homes to real property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 39, 99, 106, 111,* 252.

42..... Requires added approvals of sanitation before construction of mobile home park. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Effect less than $2,000. Committee on Commerce. 39, 151, 163, 193.*

43..... Provides for regulation of manufactured homes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Effect less than $2,000. Committee on Commerce. 39, 151, 163, 193, 194,* 941, 953, 958, 979.

44..... Imposition, apportionment and relief from money collected for the general fund in criminal actions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 42, 721, 747, 749, 1129, 1133, 1166,* 1285, 1343.

45..... Increases amount of bail that may be forfeited without notice. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 42, 73, 78, 91,* 289, 323, 340.

No. *Summary, Introducer and Page Reference*

46.....Makes various changes to provisions for justices of the peace filling certain temporary vacancies. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 42, 73, 78, 91,* 426, 637, 721, 966, 967, 980, 1085.

47.....Makes technical corrections to certain inappropriate or inaccurate statutory terms. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 43, 66, 76, 79,* 228, 241.

48.....Prohibits interference with hunting or trapping by group of people. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Bogaert, May, Thompson and Dini. 43, 206, 214, 230,* 659, 667, 707, 765, 805, 918, 941, 979.

49.....Eliminates statutory conflict concerning penalty imposed against arrested driver for refusal to submit to chemical tests. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 43, 66, 76, 79,* 162, 184.

50.....Allows courts to order attendance at drivers' training school for violation of traffic law. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 43, 360, 375, 409,* 550, 590.

51.....Removes conflict within NRS 494.046 concerning apportionment of money in county airport fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 43, 145, 153, 165,* 331, 346.

52.....Increases penalty for operation of motor vehicle without security against tort liability. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 44.

53.....Provides for special tests and limited licenses for drivers who cannot speak or read English. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Transportation. 44.

54.....Repeals superfluous section regarding authority of regional transportation commissions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Price, Getto and Stewart. 44.

55.....Removes certain legal impediments to sharing certain rides. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Price, Getto and Stewart. 44.

56.....Authorizes boards of trustees to permit use of school buses for general transportation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Price, Getto and Stewart. 45.

57.....Authorizes expenditure of money in taxicab authority fund to subsidize transportation for elderly. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Schofield, Price, Getto and Stewart. 45, 592, 606, 607, 647, 649,* 941, 979.

58.....Reduces reporting required of pawnbrokers and junk dealers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Berkley. 47, 245, 255, 277,* 1111, 1114, 1116, 1210.

59.....Provides for enforcement of express warranties on certain motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Berkley. 48, 245, 257, 277,* 912, 933, 935, 964.

60.....Requires award of attorney's fees and division of certain assets related to profession in certain domestic relations cases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Berkley. 48.

61.....Increases amount of credit per day of confinement when imprisoned to pay fine or forfeiture. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto. 57.

No. *Summary, Introducer and Page Reference*

62 ..... Removes conflicting, redundant or obsolete provisions concerning real estate brokers and salesmen and clarifies requirement for experience. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 59, 118, 131, 141,* 228, 241.

63 ..... Removes obsolete and duplicative provisions regarding qualifications of real estate brokers and salesmen. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 59, 151, 164, 194,* 341, 359.

64 ..... Provides grounds for disciplinary action against owner-developers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 59, 118, 131, 141,* 309, 321, 322, 340.

65 ..... Restores statutory provisions concerning assessment of property, limits on certain revenue and increases in certain taxes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Schofield and May. 60.

66 ..... Removes limitation upon authority of legislative commission to prescribe leaves of absence. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 61, 93, 100, 107,* 245, 261.

67 ..... Corrects definition of "mediation" in relation to local governments and their employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 61, 93, 100, 107,* 245, 261.

68 ..... Removes inappropriate references to applicability of State Budget Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 61, 93, 100, 107,* 245, 261.

69 ..... Eliminates statutory conflict concerning designation of secretary of Nevada Indian commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 62, 93, 100, 107,* 245, 261.

70 ..... Removes provisions of law relating to "MX" missile project. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 62, 93, 100, 107, 108,* 245, 261.

71 ..... Removes statutory conflict concerning number and terms of county commissioners in certain counties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 62, 93, 100, 108,* 245, 261.

72 ..... Changes amount of land required for installing individual system for disposal of sewage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 62.

73 ..... Subordinates local regulation of food and drink establishments to state regulation and repeals authorization for certain use of sawdust. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 62.

74 ..... Prohibits use of privies and cesspools in hotels. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 62.

75 ..... Specifically allows state board of health to regulate parks for recreational vehicles and stations for the disposal of waste. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 63.

76 ..... Provides for delegation of inspection of meat and poultry to local health authorities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 63, 168, 188, 206.

77 ..... Modernizes Nevada Food, Drug and Cosmetic Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 63, 145, 153, 165,* 264, 281.

No. *Summary, Introducer and Page Reference*

78.....Imposes charges for blank certificates of birth, death or stillbirth and for privilege of providing certified or official copies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 63, 168, 188, 288, 306, 1033, 1036, 1053,* 1285, 1343.

79.....Allows additional methods of testing for butterfat. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 63, 168, 192, 207,* 319, 340.

80.....Authorizes certain nurses to perform laboratory procedures under supervision. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 63, 168, 192, 207,* 445, 456, 467.

81.....Requires district attorney to notify board of conviction of nurse for violation of criminal statutes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto. 63.

82.....Enlarges function of "public" member and changes title of executive secretary of state board of nursing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto. 64, 168, 193, 200,* 201, 414, 436.

83.....Increases penalty for violation of provisions which govern nursing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto. 64.

84.....Revises provision on renewal of license for nurses. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto. 64, 168, 193, 200,* 414, 428, 429, 431, 448,* 471, 494.

85.....Makes various administrative changes regarding practice of podiatry. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Vergiels. 67, 360, 376, 410,* 616, 641, 656.

86.....Creates legislative committee to oversee Tahoe regional planning agency. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Nicholas, Dini, Bergevin, Bourne, Jeffrey, Thomas, Kerns, May, Schofield, Craddock, Bogaert and Getto. 67, 646, 662, 680, 1225, 1227, 1228, 1280,* 1395, 1414, 1508.

87.....Defines violent criminals and prescribes their punishment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Ham, Malone, Nevin and Brady. 67, 390, 406, 407, 1306, 1317, 1318.*

88.....Changes effective date for statutory provisions which reduce certain state gaming license fees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 67, 118, 122, 141, 142,* 309, 322, 438, 467, 493,* 524, 548.

89.....Increases penalties for acting as contractor without license. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 69, 218, 232, 239.*

90.....Limits frequency owner may apply for permit to construct personal residence. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 69, 234, 246, 268.*

91.....Requires manager of state industrial insurance system to set premiums in building trades by hours worked. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 69.

92.....Allows exemplary damages for certain discrimination in housing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Collins, Chaney and Craddock. 69, 120, 131, 145, 146.*

93.....Provides procedure for enforcement of subpenas of Nevada equal rights commission and allows examination of certain records. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Collins, Chaney and Craddock. 69, 287, 291, 293, 849, 869, 885, 914, 922.*

No. *Summary, Introducer and Page Reference*

94.....Limits certain prohibition against filing complaints with Nevada equal rights commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Collins and Craddock. 70, 275, 284, 573, 594,* 1030, 1085.

95.....Provides for interest on back pay awarded in complaint of discrimination in employment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Collins, Chaney and Craddock. 70, 287, 293, 573, 594,* 1059, 1122.

96.....Clarifies resort to district court and removes power of labor commissioner in cases relating to discrimination in employment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Collins, Chaney and Craddock. 70, 287, 293, 294, 573, 594,* 825, 873.

97.....Makes certain changes regarding discrimination in public accommodations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain and Craddock. 70, 275, 285.

98.....Revises provision for reporting campaign contributions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Dini, May, Stone, Nevin, Malone, Bogaert, Jeffrey, Ham, Nicholas and Beyer. 70.

99.....Declares Martin Luther King, Jr.'s, birthday legal holiday. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Collins, Chaney, Price and Swain. 74, 698.

100.....Revises statutes relating to adoption of minor children. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone, Swain, Bilyeu, Bourne and Thomas. 74.

101.....Changes fees for licensing and administrative fines chargeable by Nevada state board of optometry. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 74, 162, 177, 194,* 331, 346, 963.

102.....Corrects duplication and misplacement of provisions relating to public utilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 74, 151, 165, 174,* 331, 346.

103.....Removes provisions premised upon limited rates of interest governing financial institutions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 74, 151, 165, 175,* 341, 366, 388.

104.....Eliminates statutory conflict concerning filing fees for corporations not for profit. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 75, 104, 113, 122,* 228, 241.

105.....Specifies time for payment of contractors and subcontractors. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 75, 314, 321, 337,* 646, 655, 656, 674.

106.....Abolishes employee-management relations advisory committee. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Zimmer, Brady and Nicholas. 75, 475, 480, 526, 536, 542, 543.*

107.....Limits duration of applications for registration as pharmacist. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway. 75, 151, 165, 175,* 245, 261.

108.....Removes limitation on number of times applicant for certificate as registered pharmacist may take examination. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway. 75, 151, 165, 175,* 245, 261.

109.....Provides punishment for participation in criminal syndicate and crimes regarding computers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Bilyeu, Sedway, Berkley, Malone, Humke, Francis, Fay, Redelsperger, Nevin, Stone, Bourne and Brady. 75.

No. *Summary, Introducer and Page Reference*

110..... Removes obsolete references to data processing under department of general services. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 87, 153, 165, 175,* 341, 359.

111..... Expands circumstances under which certain persons may be admitted to facilities of state industrial insurance system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner. 87, 201, 206, 224,* 445, 455, 467.

112..... Prohibits employers from asking certain questions of applicants for employment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 87.

113..... Provides strict criminal liability for unlawful possession, manufacture or disposition of explosive or incendiary devices. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 87.

114..... Provides for treatment rather than acquittal of criminal offender found insane. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bergevin, Joerg, Malone, Stone, Nevin, Bogaert, Banner, Ham, Getto, May, Thomas, Beyer, Perry, Thompson, Redelsperger, Dini, Price, Marvel, Bremner, DuBois, Nicholas, Vergiels, Brady, Bilyeu, Craddock, Chaney, Bourne, Stewart, Kerns, Jeffrey and Schofield. 90.

115..... Provides for certain preference for contractor who paid state and local taxes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Jeffrey, Vergiels, Dini, Banner and Thompson. 90, 234, 246, 268.*

116..... Protects volunteer firemen from loss of employment or compensation resulting from service. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Fay. 90, 824, 829, 845,* 1285, 1292, 1343.

117..... Requires bond or deposit for issuance or renewal of contractor's license. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 90, 234, 247, 268,* 524, 548.

118..... Requires proof of industrial insurance for issuance or renewal of contractor's license. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 90, 227, 236, 259.*

119..... Authorizes certain boards and commissions to audit their records biennially instead of annually. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 92, 161, 177, 194,* 283, 296.

120..... Equalizes representation of political subdivisions on Airport Authority of Washoe County. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone, Nevin, Sader, Malone and Bourne. 93.

121..... Abolishes defense of insanity in criminal proceedings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Vergiels, Jeffrey, Stewart, Schofield, Brady, Dini, Thompson, Malone, Kovacs, Bourne, Banner, Bergevin, Price, Collins, Perry, Redelsperger, Humke, Berkley, Craddock, Kerns, Bilyeu, Joerg, Sedway, DuBois, Nicholas, Chaney and Beyer. 94.

122..... Requires exchange of evidence before trial and limits plea bargaining in criminal cases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone. 94.

123..... Raises limit for summary administration of estates. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 95, 319, 333, 349,* 477, 513.

124..... Provides punishment for participation in criminal syndicate. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stewart, Jeffrey, Thompson, Sader, DuBois, Brady, Stone, Nevin, Berkley, Ham, Malone, Bilyeu, Collins, Humke and Fay. 95, 676, 682, 687, 805, 818, 832, 833,* 1427, 1439.

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125.....Requires board of dental examiners to regulate use of general anesthesia by licensed dentists. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 95, 231, 237, 259,* 450, 456, 467.

126.....Makes various changes in provisions regarding public works. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 95, 161, 177, 194,* 1395, 1421, 1483, 1484, 1487,* 1491.

127.....Changes time for making certain reports to labor commissioner and requires other such reports. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 95.

128.....Requires reporting of additional details for wages. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 96, 161, 177, 195,* 372, 409, 424.

129.....Makes various changes in law governing private employment agencies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 96, 497, 526, 565, 566,* 1111, 1114, 1119, 1306, 1307, 1339, 1340, 1350, 1436, 1454.

130.....Changes basis for exempting certain persons from overtime pay requirements and authorizes lodging as part of compensation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 96.

131.....Creates Nevada industrial development agency. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Economic Development, Tourism and Mining. 98.

132.....Revises limitations on property tax levy and on revenues, and changes rates and distribution of certain other taxes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Bremner and May. 100.

133.....Makes illegal certain acts regarding computers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stewart, Malone, Stone and DuBois. 100, 869, 870, 888,* 1285, 1343.

134.....Requires valid contractor's license for bids on public works. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 101, 332, 342, 368, 409, 410, 429,* 1087, 1177.

135.....Broadens exemption for property tax for elderly. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Stone, Nevin, Sedway, Francis, Berkley, Bogaert, Malone, Chaney, Humke and Brady. 101.

136.....Makes assorted regulatory changes concerning thrift companies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 101, 702, 709, 752, 753,* 1319, 1337, 1338, 1508.

137.....Extends specifications of primary coverage for insurance for motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 101.

138.....Makes various changes to law relating to mortgage companies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 102, 203, 215, 224,* 997, 1002, 1007, 1087, 1088, 1203, 1247, 1414.

139.....Permits courts to provide by rule for destruction of certain documents, without prior microfilming. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 102, 474, 480, 530,* 689, 718.

140.....Provides for submission at next general election of question proposing exclusion from sales and use tax of value of used motor vehicle traded in on another motor vehicle and partial removal of exemption for occasional sales of motor vehicles. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 102, 162, 177, 200, 1225, 1227, 1230, 1279, 1310, 1313, 1325,* 1395, 1444, 1446, 1470,* 1491.

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141.....Allows retailer of dairy products to give discount to elderly. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone, Nevin, Price, Bogaert, Malone, Nicholas, Sader, Sedway, Schofield, Kovacs, Bremner, Redelsperger, Kerns, Beyer, Brady, Francis, Marvel, Bilyeu, Humke, Thomas, Collins, Thompson, Joerg, Fay, Zimmer, Ham, Bourne, Berkley, Swain and Perry. 104, 248, 258, 277,* 414, 436.

142.....Extends required period for reporting campaign contributions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Berkley, Sader, DuBois, Nevin, Fay, Malone, Bilyeu, Stewart, Stone, Jeffrey, Kerns and Humke. 105.

143.....Proposes to remove sales and related taxes from eyeglasses and other ophthalmic devices. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 105, 843, 850.

144.....Increases proceeds allocated for and broadens permissible uses of certain proceeds of motor vehicle fuel taxes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 106, 428, 441, 448,* 689, 726, 761.

145.....Transfers hearings division from department of administration to department of industrial relations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 106.

146.....Repeals statutory provision for state loans for school construction. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 106, 499, 526, 541,* 825, 898 918, 1152, 1153, 1178, 1179, 1497, 1507.

147.....Exempts certain application of pesticides from regulation and extends certificates. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 108, 206, 215, 224,* 341, 359.

148.....Changes penalty for grand larceny of livestock. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 108, 470, 481, 530,* 843, 896, 897, 938.

149.....Restricts certain transportation of livestock and increases penalties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 108, 524, 536, 573, 578, 612,* 912, 915, 952, 1111, 1112, 1179, 1323.

150.....Provides additional locations for headquarters of department of agriculture. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 108, 285, 294, 315, 316,* 450, 467.

151.....Makes substantial changes to statutory provisions which empower cities and counties to require dedication of land or impose tax for parks and playgrounds. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 112, 842, 854, 858, 985, 986, 987, 1043, 1057,* 1319, 1322, 1323, 1456.

152.....Makes appropriation to reserve for statutory contingency fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 113, 122, 131, 142,* 235, 249.

153 .....Includes agents of Federal Bureau of Investigation and Secret Service as peace officers under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone, Bogaert, Stewart, May, Getto, Bergevin, Price, Collins, Dini, Humke, Redelsperger, Thompson, Berkley, Craddock, Kerns, Bilyeu, Joerg, Francis, Sedway, DuBois, Nicholas, Marvel, Bremner, Nevin, Stone, Fay, Jeffrey, Brady, Ham, Bourne, Kovacs, Banner, Beyer, Thomas, Coffin, Zimmer, Swain, Schofield, Vergiels, Perry and Sader. 113, 145, 153, 166.*

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154..... Increases period that pharmacies must retain prescriptions on file from 2 to 5 years. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway. 113, 203, 215, 224, 225,* 331, 346.

155..... Provides for submission at next general election of question proposing reduction of sales and use tax paid on certain mobile homes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Redelsperger, Dini, Brady, Nicholas, Humke, Price, Thompson, Bilyeu, Zimmer, Francis, Craddock, Bergevin, Getto and Schofield. 114, 304, 310, 312, 1088, 1090, 1101, 1121, 1145,* 1339, 1508.

156..... Authorizes certain sales of controlled substances and dangerous drugs by pharmacies without prescriptions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway. 114, 319, 333, 349,* 689, 725, 761.

157..... Imposes tax on certain labor and services. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 114.

158..... Extends further from polling places the area in which electioneering is prohibited. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Berkley. 119, 390, 407, 479, 488, 530, 949.

159..... Reduces meetings required of board of law library trustees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 119.

160..... Increases licensing fee for employment agencies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Labor and Management. 119, 209, 219, 230,* 450, 475, 494.

161..... Requires labor commissioner to license and regulate talent agencies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 119, 592, 607, 634.*

162..... Subjects money exchanged for controlled substances and proceeds of such exchanges to forfeiture. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke, Nevin, Stone, Ham, Stewart, Malone, Bilyeu and Sader. 119, 497, 527, 566,* 689, 718.

163..... Provides penalties for commission of certain acts against victims of crime and witnesses. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Bilyeu, May, Schofield and Stone. 120, 470, 481, 530, 531,* 1370, 1393, 1508.

164..... Makes various changes to provisions relating to interest rates for loans. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Zimmer, Getto, Thomas, Ham, Brady, Bilyeu, Banner, Sedway, Francis, Malone, DuBois, Redelsperger and Bourne. 120, 263, 276, 310, 314, 360, 385,* 689, 703, 704, 825, 826, 1088, 1111, 1210.

165..... Extends injunctive relief available to state contractors' board and minimum period for filing bond with board. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 120, 321, 335, 349,* 524, 548.

166..... Dispenses with hearing and bond for appointment of temporary guardian and provides for payment of attorney appointed for proposed ward. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 121.

167..... Revises laws on driving while intoxicated. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader, Beyer, Stewart, Berkley, Malone, Kovacs, Price, Sedway, Collins, Perry, Nicholas, Bremner, Thompson, DuBois, Stone, Banner, Coffin, Marvel, Brady, Redelsperger, Nevin, Humke, Ham, Bourne, Swain, Bergevin, Francis, Schofield, Thomas and Zimmer. 121, 366, 378, 444, 458, 490, 493, 569, 571, 576, 580, 581,* 1152, 1180, 1182, 1300, 1434, 1450, 1452.

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168 Revises requirements for reporting campaign contributions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nicholas, Sader, Beyer, Swain, Bilyeu, Bourne, Stone, Brady, Zimmer, Kerns and Humke. 121.

169 Changes certain accounting procedures of Western Interstate Commission for Higher Education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 126, 349, 361, 385,* 524, 548.

170 Expands powers and duties of department of education with respect to programs of nutrition for children. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 126, 349, 361, 385,* 524, 548.

171 Broadens provisions for acceptance of federal assistance for purposes of elementary and secondary education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 126, 349, 361, 385,* 524, 548.

172 Repeals provisions for state financial assistance to school districts for automobile driver education. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Education. 126.

173 Simplifies process of applying for benefits under certain programs of special education for handicapped persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 126, 470, 591, 608, 619,* 825, 873.

174 Provides for confidentiality of certain educational records. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 126, 470, 591, 608, 634,* 973, 1062, 1122.

175 Reestablishes commission on professional standards in education and makes appropriation for its support. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 127, 227, 231, 885, 904, 916, 917,* 1059, 1122.

176 Makes appropriation to department of education for processing of fingerprint cards. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 127, 227, 237, 914, 925, 945,* 1059, 1122.

177 Makes appropriation to provide equipment for vocational education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 127, 227, 238.

178 Makes appropriation for adult basic education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Education. 127, 227, 238.

179 Enlarges public service commission of Nevada and provides for election of commissioners. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Malone. 127.

180 Changes miscellaneous duties of and filing fees charged by county clerks. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 128, 245, 258, 277,* 426, 441.

181 Places certain limitations on preliminary inquiry into violation of condition of probation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 128, 218, 232, 239,* 414, 436.

182 Makes expenses of returning violator of parole or probation charge upon state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Judiciary. 128, 218, 232, 239, 259, 260,* 360, 388.

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183.....Makes various statutory changes concerning financial administration of department of parole and probation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 128, 218, 232, 239,* 372, 401.

184.....Permits earlier discharge from and changes conditions for certain types of probation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 129, 372, 398, 410.*

185.....Revises requirements for inquiry and hearing to determine probable cause for violation of condition of parole. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 129, 218, 232, 239, 240,* 414, 436.

186.....Tolls running of period of probation when warrant for violating condition of probation is issued. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 129, 218, 232, 240,* 426, 455, 467.

187.....Removes liability of next of kin for county assistance to indigent adult. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 129, 471, 481, 513, 526.

188.....Makes various changes to law governing marriage and family counseling. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 129, 1042, 1045, 1071, 1072, 1079, 1083.*

189.....Extends prohibitions against using minors in production of pornography. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stewart, Chaney, Nevin, Stone, Fay, Bogaert, Ham, Malone, Bilyeu, Banner, Joerg, Francis, Kerns, Nicholas, Jeffrey, Vergiels, Brady, Berkley, Perry, Collins, Sader, Dini, Thompson, Beyer, Thomas, Swain, Zimmer, DuBois and Schofield. 129, 304, 313, 337, 338,* 599, 637, 640, 721, 967, 970, 980, 1078, 1085, 1278, 1279, 1443.

190.....Enlarges and defines justification for death or injury of another. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Malone, Berkley, Sedway, Bilyeu, Nicholas, Marvel, Nevin, Beyer, Craddock, Zimmer, Joerg and Swain. 130, 283, 294, 306,* 689, 826, 827, 873.

191.....Enacts excise tax on fuel for jet or turbine-powered aircraft. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Redelsperger, Vergiels, Price, Brady, Zimmer, Joerg, Swain, Getto, Francis, Malone, May, Dini, Bremner, Marvel, Bergevin and Nicholas. 130, 575, 586, 668, 673, 674, 711, 726, 768, 769,* 1111, 1150, 1167,* 1285, 1343.

192.....Makes various changes regarding requirements to enhance fire safety. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini, Getto, Bergevin, Redelsperger, Marvel, Malone and Bilyeu. 130, 706, 711, 714, 753, 808,* 1030, 1085.

193.....Requires certain counseling for police officers and firemen in certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nicholas, Banner, Kerns, Nevin and Malone. 147.

194.....Reduces requirements for marking boundaries of mining claim. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Marvel. 147.

195.....Makes appropriation for cost of litigation involving Truckee River stream system and consulting experts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 147, 428, 441, 449,* 629, 725, 764, 765, 1152, 1153, 1179, 1497, 1498, 1507.

196.....Makes appropriation to office of the lieutenant governor for hosting the National Lieutenant Governor's Conference. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 147, 428, 441, 449,* 572, 597.

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197.....Makes supplemental appropriation for support of The Nevada Magazine. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 147, 827, 844,* 1059, 1122.

198.....Provides for closed sessions for appeals to Nevada tax commission at taxpayer's request. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 148, 209, 219, 230,* 349, 358, 438, 470, 478, 524, 548.

199.....Authorizes department of taxation to charge for actual costs of cigarette revenue stamps. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 148, 390, 407, 429,* 572, 580, 597.

200.....Requires department of taxation to compel local governments to submit proposed plans for correction of violations reported in audits and extends time for hearings on plans. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 149, 209, 219, 230,* 414, 436.

201.....Removes obsolete grandfather clause for certificate to appraise property for taxation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 149, 209, 219, 230, 231,* 331, 346.

202.....Removes requirement for publishing notice of certain meetings of state board of equalization. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 149.

203.....Increases limit on expenditures by special districts which may seek exemption from Local Government Budget Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 149, 209, 219, 231,* 414, 436.

204.....Extends power of department of taxation to enforce licensing and collect excises. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 149, 319, 335, 349, 350,* 450, 467.

205.....Provides definitions for taxation of gross receipts of laetrile and gerovital. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 105, 209, 219, 231,* 341, 346, 359.

206.....Permits impaneling grand jury for limited purpose. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 152, 345, 351, 386.*

207.....Authorizes issuance of bonds to finance construction of dam and park on South Fork of Humboldt River in Elko County. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Bilyeu, Vergiels, Marvel, Stone, Francis, Fay, Joerg, Ham, Stewart, Thomas, Bergevin, Malone, Bourne, Kerns, Nevin, Nicholas, Berkley, May, Kovacs, Jeffrey, Humke, Zimmer, Bogaert, Collins, Craddock, Sedway, Dini, Chaney, Thompson, Redelsperger, Brady, Beyer, Price, DuBois, Sader, Coffin, Schofield, Getto, Banner and Swain. 156, 263, 276.

208.....Requires lobbyists to disclose work performed for legislators during their campaigns. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader, Bourne, Brady, Swain, Beyer and Dini. 157.

209.....Prohibits anonymous political contributions and political contributions in another's name. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader, Coffin, Bourne, Beyer, Brady and Swain. 157.

210.....Requires campaign committees to report contributions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader, Coffin, Bourne, Brady, Swain, Beyer and Dini. 157.

211.....Prohibits voting by certain legislative officers where conflicts of interest exist. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader, Beyer, Swain, Brady and Stewart. 157, 413, 433, 441, 449, 625.

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212.....Requires identification of all contributors to candidate's campaign. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader, Bourne, Beyer, Swain and Brady. 157.

213.....Enlarges required disclosure of assets by public officers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sader, Coffin, Bourne, Stewart and Dini. 157, 411, 433, 449.*

214.....Broadens scope of standards for quality of water. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 158.

215.....Limits compensation of legislators for attending certain meetings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini, Sader, Thompson, Getto, Schofield, Brady, Sedway, Bremner, Beyer, Coffin, Chaney and Jeffrey. 158, 356, 361, 386,* 497, 532.

216.....Specifies scope of state and local control over disposal of sewage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini, Getto, Redelsperger and Thompson. 158, 358, 361, 394,* 535, 569, 590.

217.....Removes limitation to natural resources for purchase of municipal securities by state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini. 158.

218.....Provides reimbursement of certain costs of hospital care for certain indigents injured in motor vehicle accidents. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini, Getto, Stewart, Redelsperger, Schofield, Sedway and Bergevin.158, 342, 354, 355, 646, 651, 652, 654, 658, 665, 666,* 1395, 1413, 1414, 1444, 1445, 1470,* 1491.

219.....Enumerates additional places where forcible entry or exit may be made for arrests. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 159, 218, 232, 240,* 372, 401.

220.....Allows prosecution to call unendorsed witness under certain additional circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 159.

221.....Lengthens time required for publishing notice of filing certain proposed ordinances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 159, 330, 343, 368,* 616, 625, 626, 641.

222.....Empowers boards of county commissioners to prohibit manufacture, sale or use of detergents containing phosphates. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini and Getto. 159.

223.....Prohibits manufacture, sale or use of detergents with phosphates in counties of upper Truckee and upper Carson rivers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto and Dini. 159.

224.....Provides for tax on cigarettes sold by Indians to non- members of tribe. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone, Nevin, Bergevin, Jeffrey, Thomas, Nicholas, Fay, Zimmer and Bourne. 162.

225.....Increases fee for certificates of number for motorboats and decreases required reporting of accidents involving vessels. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 166, 337, 344, 351, 356, 386,* 592, 613.

226.....Provides special medical examination for claims for industrial insurance, changes provisions on lump sum awards and requires payment of costs in false claims. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner, Thompson, Jeffrey, Collins and Fay. 175, 283, 294, 310, 324, 325, 345,* 941, 958, 960, 979.

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227.....Requires statement of fact made before local governing board to be sworn. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 176, 806, 815, 816, 858, 941, 975, 976.*

228.....Sets time when transcript of proceeding before grand jury becomes public. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 176, 252, 264, 285,* 599, 626.

229.....Provides method for computing compensation for loss of work by certain homemakers under health insurance policies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Ham, Swain, Berkley, Stone, Nevin, Collins and Zimmer. 176.

230.....Allows consumer's advocate to seek civil penalties against public utilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 176, 477, 506, 573, 595.*

231.....Allows licensed process servers to serve certain writs. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 176.

232.....Revises methods of valuing property for purposes of taxation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 176, 320, 335, 336, 1129, 1133, 1134, 1178, 1180, 1182,* 1370, 1391, 1392, 1444, 1445, 1470,* 1491.

233.....Revises certain allowances to elderly for property taxes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 177, 523, 543, 706, 727, 769,* 1324, 1508.

234.....Reduces periods for filing declarations and certificates of candidacy. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini, Getto, Sader, Thompson, Nicholas and Chaney. 195, 413, 434, 451.*

235.....Increases agent's fee for registration of motor vehicle. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 198.

236.....Requires allocation of money in county airport fund to include airport authority. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 198, 304, 313, 324,* 550, 624, 641.

237.....Increases maximum imprisonment for burglary. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 198.

238.....Makes various changes regarding murder of first degree. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 198.

239.....Clarifies definition of lottery. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield. 201.

240.....Removes requirement for payment of estimated tax on net proceeds of mines. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Marvel and Bergevin. 203, 767, 776, 811,* 1111, 1210.

241.....Authorizes fees for inspecting subdivisions and advertising of subdivisions for sale. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 204, 263, 276, 285, 286,* 438, 457, 568.

242.....Limits exemption of land located outside of Nevada from requirements for subdivision of land. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 204, 263, 277, 286, 310, 316, 338,* 535, 555, 566, 595, 619,* 646, 674.

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243.....Authorizes state to appeal to district court from order granting motion to dismiss from justice's court. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 204.

244.....Prohibits possession of firearms on school property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 204.

245.....Increases penalty for battery which results in substantial bodily harm. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 204, 721, 750, 808, 809.*

246.....Authorizes grant of immunity in preliminary examinations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 204, 1156, 1157, 1182,* 1458, 1465.

247.....Extends time for hearings and decisions on appeals for industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone. 205.

248.....Allows state land registrar to lease land for private development. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Schofield, Jeffrey, Vergiels, Dini, Nevin, Price, Coffin, Bourne, Stewart, Sedway, Malone, Joerg and Thomas. 207, 594, 609, 824, 844,* 1285, 1321, 1322, 1414.

249.....Emphasizes requirement that school districts provide special educational programs for academically talented. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Schofield. 208.

250.....Makes various changes in laws pertaining to county recorders. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 211, 326, 336, 350,* 592, 613.

251.....Limits employer's option to provide accident benefits for industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 211, 348, 363, 394,* 629, 654, 655, 674.

252.....Makes various changes in provisions regarding occupational diseases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 211, 403, 418, 458, 462, 463,* 721, 758, 760, 802.

253.....Amends provisions of industrial insurance law relating to rates, dividends and failure of coverage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management. 211, 348, 364, 396,* 1395, 1420, 1539.

254.....Makes various changes in provisions regarding industrial insurance. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Labor and Management.212, 437, 446, 447, 497, 531, 555, 725, 729, 769,* 1370, 1389, 1391, 1508.

255.....Specifies authority to hear certain appeals and authorizes penalties for violating certain reporting requirements relating to industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 212, 390, 407, 430,* 641, 656.

256.....Provides for immediate effectiveness of tax on lodging. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 212, 971, 974, 981, 982,* 986, 1040.

257.....Provides right of visitation for relatives after divorce or death of a parent. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Ham, Getto, Malone, Bergevin, Fay, Banner, Stone, Bilyeu, Berkley, Collins, Humke and Swain. 212, 348, 365, 396.*

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258 Makes various amendments to charter of Carson City. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Joerg and Thomas. 212, 339, 345, 368, 387, 410,* 1030, 1038, 1085.

259 Provides for removal of certain mining claims from county map. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Marvel. 212.

260 Provides for expiration of fishing and hunting licenses 1 year from date of issuance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone, Schofield, Ham, Bogaert, Fay, Bergevin, Collins, Price, Marvel, Perry, Humke, Sader, Thompson, Redelsperger, Berkley, Craddock, Kerns, Bilyeu, Francis, Joerg, Sedway, Brady, Nevin, Stone, May, Chaney, Nicholas, DuBois, Kovacs, Bourne, Thomas, Zimmer, Swain, Beyer, Dini, Banner and Vergiels. 213.

261 Makes various changes to law governing contractors. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 213, 321, 336, 350,* 747, 802, 823.

262 Permits original of state constitution to be displayed in legislative building. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Legislative Functions. 213, 215,* 228, 241.

263 Permits hiring of relatives by public officer when salary is not paid by government. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 213.

264 Provides for management of real property owned by state industrial insurance system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 213, 309, 321, 338,* 450, 467.

265 Establishes day to observe birthday of Martin Luther King, Jr. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 214, 646, 662, 698, 699,* 1030, 1085.

266 Removes requirement that final map of subdivision be approved by certain state agencies regarding supply of water and disposal of sewage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 221.

267 Provides for deposit in state general fund of certain fees received by real estate division of department of commerce. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 221, 309, 321, 338,* 592, 613, 964.

268 Proposes to exempt certain governmental contractors from taxes on certain retail sales. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 221.

269 Repeals imposition of latest edition of certain building and related codes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 222.

270 Makes various changes regarding naturopathy. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 222, 1160, 1161, 1165, 1189, 1190, 1203, 1214, 1222, 1279,* 1510, 1512, 1516, 1520, 1526, 1527, 1529, 1535, 1538.

271 Permits crews of trains to conform to labor agreements. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bergevin, Marvel, Bogaert, Humke, Bilyeu, Joerg, Zimmer, Thomas and Brady. 222.

272 Requires certain counties and allows other counties to require persons to work as condition of their receiving aid for dependent children. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Bilyeu, Stewart, Nicholas, Perry, Humke, Redelsperger, Thomas, Malone, Bogaert, Berkley, Zimmer, Kerns, Brady, Bremner, Marvel, Beyer, Thompson, Ham, Banner, Getto, Schofield, Coffin, Francis, Joerg, Craddock, Dini, Nevin, Stone, Jeffrey, Bergevin, Fay and Kovacs. 222.

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273.....Requires commissioner of insurance to employ specialist in containing costs of health care. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Bourne, Kovacs, Nevin, Stone, Fay, Swain, Zimmer, Bogaert, Schofield, Thomas, Beyer, Sader, Banner, Ham, Getto, Bilyeu, Kerns, Joerg, Sedway, DuBois, Humke, Collins, Thompson, Vergiels, Berkley, Malone, Bergevin, Jeffrey, Craddock, Marvel, May, Dini, Brady, Redelsperger, Stewart, Bremner and Coffin. 228, 985, 988, 1023,* 1285, 1343.

274.....Allows coordinating organization of surplus lines brokers to charge fees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Ham. 228, 314, 321, 338, 367.

275.....Provides for forfeiture of certain property used in certain crimes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone, Stewart, Humke, Berkley, Ham, Stone, Nevin, Fay, Getto, Bogaert and Bergevin. 228, 372, 398, 400, 592, 612, 634,* 1152, 1172, 1173, 1249, 1276, 1278, 1296,* 1307, 1414.

276.....Proposes to exempt batteries for hearing aids from taxes on retail sales. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Malone. 232, 1000, 1028.*

277.....Provides for certain rights of patients in health and care facilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini, Thompson, Getto, Schofield, Nicholas, Chaney, Jeffrey and Bremner. 236, 843, 888,* 1030, 1085.

278.....Extends limit on duration of payments for permanent partial disabilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner. 241, 348, 365, 396, 397,* 592, 621, 633, 634,* 646, 674, 730, 959.

279.....Removes certain limitations on sale or lease of county hospitals. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 249, 875, 877, 917.*

280.....Authorizes collective bargaining for employees in classified service of state and designates State of Nevada Employees Association as representative. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 249, 444, 460, 461, 615, 634, 635.*

281.....Raises threshold for definition of "public works." Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Marvel, Bergevin, Bilyeu, Redelsperger, Getto, Thomas and Joerg. 253.

282.....Creates employee-management committee and revises provisions governing adjustment of grievances of state employees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 253, 372, 400, 423,* 507, 592, 613, 868.

283.....Enlarges membership of public service commission of Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 253, 477, 630, 647, 726, 732, 750, 885, 916,* 1285, 1292, 1343.

284.....Reduces number of meetings required for directors of savings and loan associations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Perry, Schofield, Collins, Malone, Bourne, Sader, Nevin, Swain, Joerg, Price, Marvel, Banner, Fay, May, Bogaert, Stewart, Bilyeu, Redelsperger, Nicholas, DuBois, Getto, Chaney, Bremner, Coffin, Berkley, Thompson, Jeffrey, Kovacs, Dini, Humke, Vergiels, Francis and Sedway. 253, 360, 384, 410,* 616, 624, 625, 641.

285.....Abolishes fixed terms for members of public service commission of Nevada and terminates current terms. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone, Fay, Brady, Stone, Bourne, Nevin, Kovacs, Banner, Ham, Price, Perry, Dini, Vergiels, Thompson, Bremner, Collins, Sader, Redelsperger, Schofield, Humke, Kerns, Bogaert, Beyer, Zimmer and Coffin. 253.

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286.....Permits chiropractors to certify certain applications concerning benefits from industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 254, 330, 345, 350,* 450, 467.

287.....Prohibits necrophilia and limits grant of probation or parole to persons so convicted. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone, Nevin, Stewart, Berkley, Thomas, Marvel, Bourne, Fay, Malone, Perry, Redelsperger, Humke, Kerns, Collins, Thompson, May, Ham, Banner, Beyer, Bogaert, Jeffrey, Kovacs, Sedway, Joerg, Brady and Nicholas. 254, 390, 408, 429, 444, 453, 454,* 599, 626.

288.....Makes regulatory statutes on savings and loan associations more flexible. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 254, 677, 691, 727, 728,* 997, 1085.

289.....Prohibits discrimination in fees for services payable as benefits under policies of industrial, health and casualty insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 254, 413, 434, 451,* 550, 590.

290.....Requires interest earned from investment of certain tax proceeds to be credited to county's school district fund. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Thomas, Nevin, Jeffrey, Stone, Bilyeu, Bogaert, Bourne, Swain, Berkley, Stewart, Fay, Marvel, Banner, Malone, Redelsperger, Perry, Beyer, Coffin, Zimmer, Sedway and DuBois. 261.

291.....Authorizes designation of scenic routes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Redelsperger, Getto, Humke, Swain, Joerg, Stone, Zimmer, Thompson, Price, Fay, Dini and Coffin. 261, 592, 609, 635,* 869, 909.

292.....Exempts from property tax qualified systems for conserving energy. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Bourne, Schofield, Nevin, Stone, Kovacs, Joerg, Francis, Jeffrey, Bergevin, Zimmer, Craddock, Getto, Price, Malone, Bogaert, Thomas, Thompson, Redelsperger, Humke and Beyer. 264, 747, 758, 809,* 1111, 1210.

293.....Continues verification of insurance on registered motor vehicles by sampling owners. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Commerce. 267, 1129, 1135, 1170, 1171, 1483.

294.....Permits certain additional optional provisions in health insurance policies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 267.

295.....Exempts certain prepaid health maintenance plans from Health Maintenance Organization Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 267.

296.....Requires inclusion of provision for coordination of benefits of insurance policies and at least equal benefits for outpatients under group policies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 267.

297.....Makes county offices nonpartisan except those of county commissioners. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 267.

298.....Provides procedure for county commissioners to be elected from districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 267, 876, 877, 917.*

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299 Requires justices of the peace in large counties to be attorneys at law. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Berkley, Stewart, Francis, Kovacs, Stone, Ham, Sedway, DuBois and Coffin. 269, 598, 622, 650.*

300 Makes various amendments to laws regarding abuse of elderly. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Zimmer, Bourne, Jeffrey, Banner, Nevin, Kovacs, Fay, Bogaert, Sader, Coffin, Perry, Collins, Bremner, Dini, Thompson, Price, DuBois, Sedway, Craddock, Chaney, Thomas and Berkley. 270, 913, 926, 945, 993, 994, 1023,* 1466, 1478, 1479.

301 Designates certain state park as "Joseph E. Dini, Jr., State Park." Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thompson, Redelsperger, Sader, Jeffrey, Stewart, May, Banner, Price, Kovacs, Bremner, Schofield, Sedway, Coffin, Perry, Collins, Bergevin, Malone, Fay, Vergiels, Bourne, Swain, Zimmer, Brady, Thomas, Ham, Stone, Getto, Berkley, Nevin, Joerg, Kerns, Nicholas, Bilyeu, Bogaert, Francis, Craddock, Marvel, Humke and Chaney. 274.

302 Repeals Nevada Health Facilities Assistance Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bourne. 274.

303 Allows commissioner of insurance to investigate certain claims of insurance fraud. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner, Thompson and Bremner. 274, 891, 906, 917,* 1285, 1289, 1343.

304 Continues verification of insurance on registered motor vehicles by sampling owners. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Berkley, Stewart, Vergiels, May, Sader and Sedway. 275, 1063, 1064, 1067, 1102, 1103,* 1285, 1414.

305 Makes various changes in laws relating to wildlife. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 275, 618, 631, 665, 666,* 980, 1063, 1122.

306 Removes authority of board of county commissioners of largest counties to abolish office of constable. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 275.

307 Requires restraints for children in motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Nevin, Stewart, Berkley, Beyer, Zimmer, Ham, Coffin, Banner, Nicholas, Jeffrey, Francis, Sader, Humke, Thompson, Redelsperger, Bergevin, Fay, Kovacs, Price, Vergiels, Dini, Collins, Sedway, Malone, Bourne, DuBois and Perry. 278, 631, 648, 649, 676, 677, 682,* 1087, 1113, 1114, 1121, 1212, 1288, 1289, 1343.

308 Restores power to incorporate town and requires hearing before petitioning for incorporation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Redelsperger, Dini, Bilyeu, Marvel and Getto. 279, 414, 435, 441, 451, 452,* 689, 718.

309 Provides partial property tax exemption for Nevada residents effective upon amendment of constitution and revises methods of valuing property for taxation. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 280.

310 Provides partial property tax exemption for Nevada residents and revises methods of valuing property for taxation. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 280.

311 Makes various changes regarding law libraries. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 280, 445, 462, 493, 494,* 616, 641.

312 Increases support of law libraries. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 280, 414, 435, 441, 452,* 592, 613.

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313.....Requires upon request pretrial hearing on alibi claimed by defendant. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 280.

314.....Defines "prima facie evidence." Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 280.

315.....Revises provisions for disclosure of information obtained in regulating management of hazardous waste. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield. 281, 572, 593, 667, 668, 699,* 703, 1285, 1291, 1343.

316.....Imposes additional tax on special fuel. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 281.

317.....Makes various changes regarding provision of mass transportation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 281, 615, 632, 666,* 952, 961, 979.

318.....Authorizes exchange of information between department of taxation and local governments on taxpayers engaged in business. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone. 284, 706, 734, 769, 812,* 1059, 1122.

319.....Reduces salaries of legislators. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Marvel, Getto, Bilyeu, Nicholas, Kerns, Bergevin, Thomas, Bogaert, DuBois, Redelsperger, Stone, Brady, Sedway, Bremner, Beyer and Bourne. 290.

320.....Expands types of buildings exempted from requirement of automatic sprinklers for protection from fire. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Kerns, Bilyeu, Humke, Fay, Joerg, Bergevin, Malone, Jeffrey, Bourne, Stone, Ham, Bogaert, Stewart, Getto, Zimmer, Swain, Francis, Vergiels, Craddock, Thompson, Schofield, Brady, Dini, Nicholas, Marvel, Nevin, DuBois, Collins, Coffin, Sedway, Thomas, May, Redelsperger, Chaney, Banner and Perry.290, 592, 635,* 1030, 1038, 1039, 1124, 1125, 1132, 1166,* 1285, 1291, 1343.

321.....Makes certain changes in laws governing state records in division of archives of Nevada state library. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 291, 763, 776, 782, 825, 833, 845, 1274, 1296, 1299,* 1370, 1539.

322.....Creates and abolishes various funds and accounts and revises accounting practices. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 291, 477, 507, 541,* 689, 718.

323.....Increases penalties for crimes against elderly persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner and Thompson. 291.

324.....Limits application of good time to eligibility for parole. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stewart, Stone, Jeffrey, Redelsperger, Humke, DuBois, Bilyeu, Berkley, Brady, Nicholas, Malone, Ham, Fay, Nevin, Schofield, Thomas, Beyer, Price, Coffin, Thompson and Zimmer. 296, 437, 448, 474,* 592, 613.

325.....Prohibits licensing of persons to dispose of or operate sites for disposal of low-level radioactive waste or other hazardous waste. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Schofield, Coffin, Sedway, Kovacs, Jeffrey, Collins and Price. 296.

326.....Revises provisions for handling of certain money received by Nevada athletic commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 305, 646, 662, 699, 700,* 703, 952, 979.

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327.....Centralizes authority over disposition of old public records. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 305.

328.....Limits period administrator must retain books and records of transactions with insurer and insured. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bourne. 306, 477, 511, 541,* 721, 761.

329.....Requires separate accounting of certain money received by dealers in mobile homes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Berkley, Bourne, Zimmer, Malone, Banner, Ham, Craddock, Schofield and Thompson. 307, 413, 435, 452,* 629, 641, 656, 958.

330.....Permits irrigation of unimproved pasture and raises threshold for holding elections on certain proposals of irrigation districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini. 309, 387, 400, 423,* 592, 609, 613.

331.....Regulates practice of hypnosis. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 315.

332.....Changes requirements for short-term financing of Airport Authority of Washoe County. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 315.

333.....Requires operators of service stations to assist disabled persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin, Bourne, Banner, Kovacs, Stone, Malone, Fay, Marvel, Collins, Craddock, Beyer, Coffin, Berkley, Nicholas, Schofield, DuBois, Humke, Bilyeu, Francis, Zimmer, Swain, Thomas, Kerns, Sedway, Getto, Price, Thompson, Vergiels, Ham, Sader and Jeffrey. 320, 575, 593, 619.*

334.....Requires adoption of qualifications of parents and courses of study for teaching children at home. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Ham, Bilyeu, DuBois, Stewart and Beyer. 320, 1238, 1243, 1280.*

335.....Changes regulatory authority for minerals and energy. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bogaert, Getto, Kerns, Redelsperger, Bergevin, Dini, Marvel and Bilyeu. 320, 764, 782, 799, 824, 827, 949, 950, 1458, 1466, 1488,* 1510, 1516, 1520.

336.....Raises monetary threshold for distinguishing degrees of crime. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 323, 372, 396, 479, 485, 531, 568, 594.

337.....Reduces reimbursement allowed to taxpayer for cost of collecting taxes on retail sales. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 323.

338.....Increases interest allowed in action on bond for mechanic's lien. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 323.

339.....Imposes additional filing fee in civil actions to support legal aid programs for elderly persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Berkley, Stone, Nevin, Malone, Collins, Jeffrey, Stewart, Humke, Swain, Ham, Bourne, Vergiels and May. 323, 658, 679, 711,* 997, 1085.

340.....Makes various changes in law concerning local government employee-management relations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 327, 1042.

341.....Increases apportionment to cities from county general road fund. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 328.

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342.....Adds residential construction to projects which may be financed by economic development bonds of local government. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 328.

343.....Authorizes additional promoter's fee in certain amateur boxing contests for purchase of equipment for amateur boxing clubs. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 328, 592, 610, 619, 620.*

344.....Removes election of certain firemen and police officers to receive benefits from industrial insurance for permanent total disability. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 328.

345.....Provides causes of action for damages caused by certain actions taken on application for permit. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Getto, Redelsperger, Banner, Bergevin, Marvel, Nicholas, Joerg, Thomas, Sedway, Stone, Beyer, Bogaert, DuBois, Kerns, Nevin, Bourne, Ham, Zimmer, Francis, Malone, Fay, Bilyeu, Berkley, Bremner, Price, Collins, Dini, Thompson, Humke, Craddock, Kovacs, Coffin, Chaney and Perry. 328, 849, 862, 888, 1023, 1029, 1054,* 1427, 1436.

346.....Authorizes reduction of payments for certain educational benefits for members of Nevada National Guard. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 331, 708, 736, 753,* 941, 979.

347.....Authorizes state public defender to collect certain amounts from counties for use of his services. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 331, 813, 816, 833,* 952.

348.....Directs issuance of state bonds for purpose of fire protection and other capital improvements in state and university buildings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Ways and Means. 331, 1458, 1459, 1488,* 1510, 1516, 1521, 1526, 1539.

349.....Permits Nevada commissioner for veteran affairs to collect fee for guardianship. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 332, 524, 544, 588.*

350.....Requires invitation for competitive bidding on large public works projects. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bourne, Bilyeu, Thomas, Vergiels, Nevin, Kerns, Bogaert, Berkley and Jeffrey. 332, 836, 840, 845, 914, 920, 921.*

351.....Increases tax exemptions for veterans. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Redelsperger, Dini, Nicholas, Humke, Stone, DuBois, Joerg, Sedway, Brady and Getto. 339.

352.....Provides for panels for conciliation to hear certain malpractice claims. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Beyer. 350, 1077, 1082, 1083, 1156, 1159.*

353.....Requires disclosure of alcoholic content of beer on label. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thomas, Banner, Malone, Stone, Nevin, Berkley, Collins, Bogaert, Nicholas, Bourne, Kerns, Humke, Joerg, Zimmer, Fay, Ham and Getto. 351, 988, 993, 1023, 1024.*

354.....Limits each hunter of bighorn sheep to one during his lifetime. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey and Thompson. 351.

355.....Authorizes expenditures for capital improvements at Cheyenne Campus of Clark County Community College. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Sedway, Thomas, Perry and DuBois. 351.

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356..... Extends assistance to dependent children who live with both parents. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Sedway, Beyer and Perry. 351.

357..... Provides for earlier admission of handicapped minors to public school. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Education. 356, 591, 610.

358..... Increases rate credited for unpaid fines or public work therefor. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 356, 426, 441, 452,* 629, 667, 687.

359..... Conforms provisions for joinder of criminal offenses to federal rule. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 357, 497, 529, 566.*

360..... Limiting the right to bail. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 357.

361..... Makes various changes to law governing architects and residential designers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 357, 824, 830, 845, 914, 921, 945,* 1431, 1438, 1458, 1466, 1486, 1491.

362..... Authorizes special license plates for honorary foreign consuls. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Coffin. 357, 689, 710, 753,* 997, 1085.

363..... Exempts certain conveyances from tax on transfers of real property. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 357, 746, 767, 809.*

364..... Provides penalty for discharge of employee who excercises his right to benefits under industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey, Banner, Thompson, Collins, Fay, Brady, Dini, Schofield, Thomas, May, Kovacs and Perry. 357, 869, 871, 888.*

365..... Requires estimate of increase in tax rate to appear in advertisements and notice of election on proposal to issue municipal obligation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Bremner, Sedway, Banner, Nicholas, Beyer, Craddock, Joerg, Francis, Brady, Thomas, Coffin, Redelsperger, Bogaert, Dini, Bergevin, Thompson, Malone, Fay, Perry, Collins, Jeffrey and Zimmer. 358, 646, 664, 700,* 703.

366..... Amends charter of City of Sparks. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 368, 911, 928, 946, 981, 983, 1024,* 1285, 1343.

367..... Exempts buses used for urban transportation from fuel and privilege taxes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Committee on Transportation. 369, 1123, 1127, 1128, 1190, 1213, 1214, 1231,* 1395, 1508.

368..... Prohibits certain discrimination against manufactured homes in local planning and zoning. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 369, 479, 512, 536, 594, 814.

369..... Changes qualifications of director of department of transportation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 374, 763, 799, 812,* 1324, 1341, 1342, 1508.

370..... Makes various changes regarding attorney general's representation of governmental agencies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 374, 553, 576, 612,* 1111, 1112, 1210.

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371 ..... Imposes state tax levy and tax on soft drinks and increases tax levy required for public schools. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 375, 550, 554, 555, 565, 806, 821, 833, 846, 888, 893,* 1395, 1396, 1400, 1428, 1429, 1452, 1453, 1454, 1521, 1525, 1526.

372 ..... Makes various changes to Unemployment Compensation Law. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 391.

373 ..... Abolishes parole. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Malone. 391.

374 ..... Regulates use and effect of binders by insurers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone. 391, 598, 623, 635,* 1285, 1289, 1343.

375 ..... Makes general increase in fees for certificates and licenses charged by commissioner of insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 392, 646, 664, 700,* 703, 1111, 1128, 1245.

376 ..... Allows public service commission to consider public interest when determining location of its hearings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 392, 646, 670, 700,* 703.

377 ..... Limits effect of interstate agreements. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 392, 1214.

378 ..... Strengthens provisions for enforcement of open meeting law. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 392, 524, 544, 566,* 1285, 1294, 1343.

379 ..... Prohibits certain acts by former commissioners and employees of public service commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 392, 606, 623, 650.

380 ..... Lowers threshold of age for protection against abuse and neglect of older persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini, Schofield, May and Thomas. 393, 805, 832,* 1324, 1508.

381 ..... Requires instruction of new drivers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 393.

382 ..... Changes date of primary election. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Coffin, Ham, Bourne, Zimmer, Schofield, Dini, Jeffrey, Thompson, Malone, Sedway, Price, Perry, Nevin, Vergiels, Bogaert and Bergevin. 393, 1042, 1045, 1075,* 1285, 1343.

383 ..... Allows certain legislators to retain membership in state's group insurance program without retiring. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Legislative Functions. 396, 733, 750, 770,* 1307, 1414.

384 ..... Prohibits employment agency from requiring postdated order of payment to satisfy its fee. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Francis, Banner, Jeffrey, Collins, Fay, Ham, Thomas, Zimmer and Thompson. 396, 534, 553, 595.*

385 ..... Transfers part of tax on slot machines to operation of state university. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 397, 524, 544, 588,* 843, 897, 898, 938.

386 ..... Reduces amount in vocational rehabilitation revolving fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 398, 678, 696, 711, 753, 754,* 941, 979.

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387.....Limits extent of injured employee's exclusive remedy to employer who pays premiums for industrial insurance covering the employee. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 404.

388.....Prohibits manufacture, distribution, sale, possession and use of imitation controlled substances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway. 404, 885, 904, 916, 930, 946,* 1111, 1210.

389.....Increases penalty for selling controlled substances to minors and for causing death of minor by such sale. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Ham, Berkley, Zimmer and Swain. 404, 592, 610, 620,* 825, 873.

390.....Raises threshold of population for counties required to provide separate facilities for detention of juveniles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 405.

391.....Reorganizes and assigns additional responsibilities to department of economic development. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Economic Development, Tourism and Mining. 405, 575, 579, 581, 586, 757, 770, 812, 834, 836, 848,* 892, 1152, 1171, 1172, 1212, 1234, 1247, 1281, 1282, 1288, 1414.

392.....Requires hospitals to itemize and specify charges on their billings in understandable language. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway, Schofield, Jeffrey, Stewart, Sader, Dini, Bremner, Nevin, Marvel, Coffin, Thomas, Thompson, Vergiels and Bourne. 405, 677, 696, 728,* 941, 979.

393.....Makes appropriation for microfilming records of state engineer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Beyer, Marvel, Getto, Bogaert, Redelsperger, Bilyeu, Nevin, Bourne, Coffin, Thompson and Dini. 406.

394.....Revises requirements for pretrial petition for writ of habeas corpus. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 414.

395.....Allows conviction based on testimony of accomplice. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 414.

396.....Expands jurisdiction over juveniles and authorizes photographing of juveniles referred to juvenile court. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 415.

397.....Requires certificate of death and burial or cremation of aborted embryo or fetus. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Ham. 415.

398.....Requires best efforts to save life of child until medical care is unnecessary. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Ham. 415.

399.....Requires insurer to pay benefits to assignee under certain policies of insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bourne. 415, 646, 670, 700, 701,* 703, 1059, 1122.

400.....Allows counties to set fees for licensing traveling merchants. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Joerg. 415, 598, 623, 624, 682, 687, 711, 752, 757, 809,* 1111, 1210.

401.....Clarifies certain provisions concerning commissioner for veteran affairs and Nevada veterans' advisory commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone. 415, 842, 859, 888, 889,* 1059, 1074, 1111, 1210.

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402 ..... Makes various administrative and other changes in public employees' retirement system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 416, 646, 670, 701,* 703, 825, 873.

403 ..... Permits private sale of local government securities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 416, 842, 886,* 1030, 1085.

404 ..... Authorizes refunding bonds for state bond bank and specifies new procedures for public sales of state bonds and new limitations for refunding bonds of state and university. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 416, 842, 886,* 1030, 1124, 1125, 1132, 1167,* 1285, 1343.

405 ..... Requires individual assessment of time-share estates and permits one tax statement for time-share property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 416.

406 ..... Allows county commissioners to contract beyond their terms of office. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 417, 1043, 1056,* 1339.

407 ..... Provides for protective services and licensed day care facilities for adults. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 417.

408 ..... Prohibits issuance of check for services, use of property or credit from gaming establishment with insufficient money, property or credit to pay it. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto and Dini. 417, 598, 623, 635,* 1059, 1065, 1066, 1177.

409 ..... Provides penalties for death or injury caused by driver fleeing from peace officer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Price, Bourne, Malone, Nevin, Marvel, Collins, Kovacs, Banner, Ham, Getto, Vergiels, Beyer, Thomas, Zimmer, Swain, Francis, Bilyeu, Joerg, Kerns, Sedway, Craddock, DuBois, Berkley, Humke, Chaney, Thompson, Redelsperger, Nicholas, Dini, Stewart, Bogaert, Fay and Stone. 417, 646, 672, 701, 726, 732,* 1285, 1289, 1290, 1343.

410 ..... Requires smaller license plates for small trailers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Price. 418, 825, 830, 848,* 1111, 1210.

411 ..... Authorizes collection of fee to support student government at campuses of University of Nevada System. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone, Francis, Sedway, Nevin, Fay, Marvel, Bourne, Banner, Bergevin, Malone, Bogaert, Berkley, Swain, Kerns, Dini, Ham, Getto, Zimmer, Thomas, Joerg, Humke, Thompson, Vergiels, Jeffrey, DuBois, Schofield, Beyer, Nicholas, Perry, Collins and Brady.427, 706, 736, 754, 756,* 941, 979, 1002, 1043, 1061, 1064, 1065, 1079, 1084,* 1245.

412 ..... Transfers regulation of community antenna television companies in certain cities and counties. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 427, 1190, 1192, 1198, 1213, 1224, 1230, 1241, 1242, 1280,* 1529, 1534.

413 ..... Removes prior residency requirement for veteran's exemption from property and vehicle privilege taxes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Thompson, Jeffrey, Banner, Dini, Stewart, Chaney, Fay, Schofield, Sader and Redelsperger. 427.

414 ..... Requires commissioner of insurance to publish guide for motor vehicle insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Price, Schofield, Bergevin, Malone, Bourne, Ham, Getto, Chaney, Coffin, Sedway, Joerg, Swain, Craddock, Berkley, Redelsperger, Thompson, Dini, Sader, Jeffrey, Perry, Stewart, Collins, May, Bogaert, Fay, Stone and Nevin. 427, 1213, 1215, 1483.

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415.....Increases certain fees for services of constables. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 432.

416.....Restricts withdrawal by local government of recognition of employee organization and permits consideration of bad faith in negotiations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 432, 985, 988, 989, 1024,* 1339, 1508.

417.....Increases fees for filing security agreements and searching for federal liens. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 432, 615, 633, 650, 651,* 980, 1040.

418.....Amends provisions of law pertaining to refunding of securities issued by the state and its political subdivisions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 433, 842, 886,* 1030, 1124, 1125, 1132, 1166, 1167,* 1285, 1319, 1320, 1325,* 1346, 1508.

419.....Substantially revises certain procedures for local assessment of property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 433, 1246, 1251, 1270, 1386, 1419,* 1466, 1480, 1481.

420.....Increases penalties for abusing clients of division of mental hygiene and mental retardation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey, Stewart, Stone, Berkley and Schofield. 433, 875, 917,* 1111, 1113, 1210.

421.....Increases fees charged by state board of nursing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto. 433, 598, 623, 635, 636,* 869, 909.

422.....Imposes state tax on certain containers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 438.

423.....Prohibits manufacture and sale of certain bullets and enhances penalty for crimes committed while using such bullets. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Francis, Stewart, Bilyeu, Banner, Kerns, Joerg, Coffin, Bourne, Malone, Berkley, Nevin, May, Ham, Beyer, Nicholas, Thompson, Craddock, Dini, Stone, Sedway, Jeffrey, Vergiels, Zimmer, Fay, Brady, DuBois, Bergevin, Price, Sader, Redelsperger, Bogaert, Bremner, Collins, Humke, Kovacs, Swain, Thomas, Marvel, Getto, Schofield and Perry.
439, 534, 553, 588,* 980, 1040.

424.....Makes various changes in law concerning professional engineers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Beyer. 439, 646, 672, 701,* 703, 1030, 1066, 1177.

425.....Requires repossessor of mobile home or slide-in camper to pay property tax owing upon repossession. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 439, 659, 679, 701,* 703, 869, 909.

426.....Revises certain provisions concerning duties of landlords of mobile home parks. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary.440, 1037, 1039, 1054,* 1491, 1495, 1497, 1510, 1511, 1526, 1528, 1529.

427.....Makes trial by jury unavailable for misdemeanors. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 440.

428.....Allows certified psychologists to make determinations concerning sanity or mental health of persons for certain statutory purposes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 440.

429.....Prohibits use of banking card to obtain money to which person is not entitled. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 440, 628, 649, 666,* 980, 1040.

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430.....Requires notice to quit to tenant to be served by constable or sheriff. Fiscal Note: Effect on Local Government: Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 440.

431.....Requires employer to give notice of discontinuation of policy of group life or health insurance or pay for replacement. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Swain, Banner, Bourne, Coffin, Sader and Zimmer. 441, 826, 831, 848,* 1395, 1421, 1422, 1539.

432.....Removes requirement of indigency for representation by state industrial attorney. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner and Thompson. 445, 592, 610, 618, 620,* 764, 823.

433.....Prohibits requirement by employer that employee waive confidentiality of medical records for industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner and Thompson. 446, 592, 610, 620,* 764, 823.

434.....Requires advance notice to insurer before inspection of files on industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 446.

435.....Removes requirement of compulsory coverage of musicians for industrial insurance and occupational diseases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner. 446.

436.....Exempts blind vendors from State Purchasing Act and from formal requirements upon independent contracts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey. 451.

437.....Abolishes interim legislative committee on local governmental finance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 454.

438.....Requires operators of treatment works to be certified. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Natural Resources, Environment and Agriculture. 457, 1073, 1077, 1103.*

439.....Creates office of patient's advocate. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Bourne, Kovacs, Banner, Getto, Vergiels, Nevin, Marvel, Malone, Price, Collins, Bergevin, Sader, Craddock, Redelsperger, Humke, Kerns, Bilyeu, Francis, Joerg, Sedway, DuBois, Chaney, Perry, Jeffrey, Fay, Stone, Schofield, Coffin, Zimmer, Swain and Thomas. 459.

440.....Requires waiting period before claimant is entitled to receive unemployment compensation benefits and narrows eligibility requirements. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 459.

441.....Increases time within which notice must be given for increase in rent. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Francis. 459, 850, 862, 889,* 1370, 1371, 1428, 1429, 1508, 1521.

442.....Returns expenses and revenues of drivers' license division of department of motor vehicles to state highway fund and increases certain fees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 460, 678, 697, 712,* 1030, 1293, 1294, 1343.

443.....Authorizes temporary advances from state general fund to division of mental hygiene and mental retardation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 460, 631, 647, 1521.

444.....Includes agents of Drug Enforcement Administration as peace officers when making arrests. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. DuBois, Sedway, Kerns, Craddock, Joerg, Swain, Zimmer, Nevin and Bogaert. 460.

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445.....Makes various administrative changes regarding pharmacy. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway. 471, 875, 879, 918, 919,* 1491, 1492.

446.....Extends benefits from public employees' retirement system for spouses of deceased retired police officers and firemen. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Nevin, Schofield, Thomas, Stone, Berkley, Bourne, Nicholas, Malone, Bogaert, Collins, Kerns, Vergiels, Jeffrey, Stewart, Fay, Bergevin, Banner, Ham, Getto, Beyer, Coffin, Zimmer, Swain, Francis, Bilyeu, Sader, Perry, Marvel, Kovacs, Dini, Redelsperger, Humke, Sedway, Thompson, Price, Joerg, Craddock, Brady, DuBois and Chaney. 471, 806, 1156, 1158,* 1466, 1481, 1482, 1491, 1499, 1501, 1507.

447.....Removes authority of state board of health to set certain fees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Dini and Getto. 472, 1073, 1074.

448.....Makes various changes relating to recording mining claims. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini and Getto. 472, 767, 800, 812,* 1285, 1291, 1292, 1319, 1417, 1441.

449.....Revises limitations upon local governmental revenues and retains rates of taxes on retail sales. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 472, 720, 726, 738, 743, 826, 834, 835, 836, 893, 895, 1044, 1048, 1103, 1108,* 1370, 1371, 1379, 1446, 1456.

450.....Increases minimum amount of vehicle privilege tax. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 473.

451.....Replaces obsolete measure of limit on interest on public securities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 473, 676, 697, 712,* 1030, 1085.

452.....Makes various changes to law governing tax on transfers of real property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 473.

453.....Requires adoption of regulations for testing and licensing of managers of mobile home parks. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Less than $2,000. Committee on Commerce. 474.

454.....Repeals tax on residential construction for purposes of erecting additions to school buildings. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 474.

455 .....Raises thresholds for competitive bidding for local government purchases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 478, 1178, 1185,* 1339, 1371, 1383,* 1419, 1441.

456.....Establishes board of examiners for mental health to certify psychologists, social workers, marriage and family counselors and counselors of alcohol and drug abusers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Ham, Stone, Redelsperger, Kerns, Thomas, Bilyeu, Berkley, Kovacs, DuBois and Bogaert. 489.

457.....Requires schools to practice evacuating school buses and adds to requirements for drivers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Effect less than $2,000. Redelsperger, Dini, Getto, Coffin, Sedway, Bilyeu, Humke, Joerg, Thompson, Swain and Zimmer. 494, 746, 767, 812,* 1059, 1061, 1062, 1177.

458.....Enumerates certain rights and establishes standards for conduct of certain investigations of peace officers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 498, 869, 871, 889,* 1499.

No. *Summary, Introducer and Page Reference*

459 Makes appropriation to National Judicial College in Reno, Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 498.

460 Amends traffic laws for funeral processions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone. 498.

461 Regulates activity of certain persons who provide group insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 504, 885, 904, 919,* 1147, 1245.

462 Makes various changes in laws relating to insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 505.

463 Limits assignment and subrogation to recover medical payments by insurer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 505.

464 Relaxes certain limitations on licensing of pharmacies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 505, 764, 809.*

465 Makes certain changes in laws governing relation between landlord and tenant, especially as to mobile home parks. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 505, 1190, 1198, 1279.*

466 Requires landlord to credit interest to deposits paid by tenants. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Francis, Vergiels, Malone, Coffin, May, Banner, Thompson, Schofield, DuBois, Chaney, Humke, Craddock, Thomas, Jeffrey, Stone, Nevin, Swain, Bogaert, Redelsperger, Price, Collins, Fay, Kovacs, Bourne and Sader. 505, 850, 862, 889.*

467 Requires payment of taxes in cash or by negotiable instrument payable on presentation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bogaert, Thompson, Chaney and Banner. 506, 1212, 1215, 1279, 1352, 1353, 1382.*

468 Provides staggered terms for members of town advisory boards of certain counties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Redelsperger and Dini. 506, 678, 697, 728,* 1285, 1292, 1293, 1343.

469 Proposes to impose sales and related taxes on certain governmental contractors and impose use tax on certain out-of-state sales. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 524, 628, 633, 647, 649,* 650, 702, 718.

470 Imposes state tax on lodging. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 525, 602, 607, 611.

471 Provides for submission of dispute between police officers and local governments to factfinder and arbitrator. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 525, 1001, 1028.*

472 Increases wages deemed earned by volunteer peace officers for purposes of industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner. 525, 615, 621, 764, 810,* 1059, 1122.

473 Changes composition and increases number of members of advisory council for department of industrial relations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 525.

474 Authorizes county commissioners to designate hospitals for emergency medical care to indigents. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 525.

No. *Summary, Introducer and Page Reference*

475..... Requires state engineer to grant waiver of certain requirements regarding permits for wells. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Dini, Redelsperger, Thompson, Bergevin, Marvel, Bilyeu, Jeffrey, Craddock, Joerg and Thomas. 525, 1129, 1138, 1167, 1169,* 1339, 1347, 1370, 1380, 1441, 1454.

476..... Specifies amount of fees from courts for support of law libraries and extends collection of fees to justices' courts. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 536.

477..... Provides for dismissal of appeal by district court if defendant fails to file brief. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 536.

478..... Clarifies schedule of collective bargaining by local governments and excludes special panels from requirements for open meetings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Zimmer. 536, 1443.

479..... Proposes to exempt orthotic, prosthetic and similar devices from taxes on retail sales. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Beyer. 537.

480..... Removes provisions requiring payment to contractors and subcontractors of interest earned by state on money withheld from progress payments on public works projects. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Beyer. 537.

481..... Extends the provisions of county sewage and waste water law to all counties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Beyer. 537.

482..... Permits quarterly adjustments of property tax levy for schools under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Beyer and Bourne. 537.

483..... Requires agreement for other than immediate payment of wages to be in writing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner, Thompson and Jeffrey. 537, 1213, 1230,* 1307, 1414.

484..... Allows division of state lands to quitclaim title to reserved minerals and repeals action for declaratory judgment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 537.

485..... Eliminates subdistricts for election of board of regents. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 538.

486..... Prohibits issuance of certain new gaming licenses. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Brady, Jeffrey, Vergiels, Kovacs, Berkley, Malone, Zimmer, Sedway, DuBois, Nicholas, Bremner and Ham. 538.

487..... Requires group health insurance to cover mental illness. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 538.

488..... Prohibits removal of shopping carts and regulates services to retrieve them. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 538, 849, 864, 889, 890,* 978.*

489..... Provides for equal allocation of additional taxicabs among all certificate holders under jurisdiction of taxicab authority. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 538.

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490 ..... Requires certificate of registration to be kept in vehicle. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone. 539, 724, 750, 810,* 1285, 1343.

491 ..... Authorizes adjudication of disputes between landlords and tenants of mobile home parks by boards to mediate grievances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Stewart, Bourne, Sedway, May, Zimmer, Price, Francis, Sader and Redelsperger. 539, 1211, 1215, 1280, 1281.*

492 ..... Makes various changes to provisions concerning physical therapists. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Perry, Collins, Francis, Sedway, Craddock, Chaney, Sader, Stewart, Vergiels, Bogaert, Price, Jeffrey, Nicholas, Bilyeu, Thomas, Beyer, Brady, Bergevin, Marvel, Nevin, Kovacs, Stone, Fay, Getto, Joerg, Banner, Ham, Coffin, Bremner and Malone. 539, 885, 905, 919.*

493 ..... Provides standards to store and distribute blood and establishes minimum age to donate without consent. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 539, 764, 810,* 1030, 1085.

494 ..... Regulates practice of respiratory therapy. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 539.

495 ..... Provides plan for deferral of property taxes against certain homeowners. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Bourne. 548.

496 ..... Authorizes levy of tax on certain property to be used to support school construction. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 551, 985, 988, 991, 1024,* 1427, 1436, 1437.

497 ..... Provides for regulation of private instruction offered to small numbers of pupils. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Education. 551, 827, 844,* 1370, 1393, 1508.

498 ..... Increases salaries of district judges beginning in 1985. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 551.

499 ..... Requires interest earned on money in rehabilitation facilities account to be credited to that account. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 551.

500 ..... Expands eligibility for benefits of surviving spouse of justice of supreme court or district judge. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 551.

501 ..... Provides for pension, upon retirement for disability, of justices of the supreme court and district judges. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Dini, Getto, Schofield, Stewart, Bilyeu and Thomas. 565.

502 ..... Increases certain fees charged for services of county recorders. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 565, 764, 810.*

503 ..... Provides for earlier retirement and additional credit towards retirement for district judges and justices of supreme court. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 565, 764, 810, 811,* 1087, 1112, 1113, 1210.

504 ..... Requires financial information on metropolitan police departments to be furnished to employee organization by local government employers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 575, 842, 886,* 1111, 1113, 1210.

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505 ..... Provides additional factors for determination of allocation of number of taxicabs by taxicab authority. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 575, 869, 872, 890, 1147, 1245.

506 ..... Requires person seeking judicial review of administrative decision to pay for transcript. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 575.

507 ..... Allows state treasurer to negotiate rate of interest on certain deposits of state money and requires depositories to send periodic reports only to treasurer. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bogaert, May, Brady and Jeffrey. 575, 720, 751, 772,* 980, 1040.

508 ..... Provides for establishment of specially benefited zones in certain depressed areas of Nevada. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Chaney, Price, Collins, May, Nicholas, Joerg, Sedway, DuBois, Brady, Redelsperger, Thompson, Banner, Ham, Getto, Craddock, Kerns, Kovacs, Thomas, Berkley, Bilyeu, Francis, Swain, Jeffrey, Vegiels, Schofield, Stewart, Fay, Stone, Bergevin, Nevin, Marvel, Malone, Perry, Dini, Beyer and Coffin. 589, 1129, 1139, 1306, 1315, 1321,* 1441, 1449.

509 ..... Allows hearings on administration of ground water basins to be held outside the basin. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 589, 647, 672, 680,* 941, 979.

510 ..... Provides for use of computer system in registration of voters. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 592, 842, 859, 890.*

511 ..... Makes changes in conduct of elections for directors of county fire protection districts and in filling vacancies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 596, 891, 908, 920,* 1111, 1210.

512 ..... Conforms boundaries of certain counties to section, township and range lines. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 597, 842, 859, 890,* 1030, 1085.

513 ..... Extends definition of officer for purposes of penalty for battery. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 599.

514 ..... Expands exemption of small establishments from casino entertainment tax. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Jeffrey, Thompson, Thomas and Getto. 599, 676, 697, 712, 713,* 997, 1085.

515 ..... Requires provision for payment of deficiency in gaming fees or taxes in certain contracts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 606, 676, 697, 713,* 997, 1085.

516 ..... Provides seals for lower trial courts. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 606.

517 ..... Defers payment to contractors of small amounts of interest due on money withheld on contracts for public works projects. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bogaert, Nevin, Stone, Price and Joerg. 606, 1030, 1031, 1054,* 1453, 1464, 1465.

518 ..... Revises provisions governing regulation of traveling merchants and peddlers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 616.

519 ..... Provides for search warrant for inspections of places of employment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 616.

No. *Summary, Introducer and Page Reference*

520 Requires nonmembers of employee organization to pay proportionate share for negotiations. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 617.

521 Increases fee for gaming licenses. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Fay and Kovacs. 617.

522 Makes various changes in law governing annexation by cities in largest counties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 618, 720, 726, 743, 772,* 980, 1040.

523 Authorizes consolidation of certain election precincts into single voting districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 618, 842, 860, 890, 891,* 1285, 1291, 1343.

524 Limits regulation of food establishments to those operated for profit. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 618.

525 Provides for designation of certain small amounts of delinquent property taxes as uncollectible. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Beyer. 618, 842, 860, 891,* 1111, 1210.

526 Provides method of calculating compensation for certain property affected by limited-access highways. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Banner. 629.

527 Directs department of industrial relations to credit state industrial insurance system with prior advance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 629, 843, 861, 891,* 1147, 1300.

528 Allocates part of casino entertainment tax for local culture. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Thomas. 629.

529 Amends standard valuation law and standard nonforfeiture law governing certain insurance policies. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 630, 911, 943, 944,* 1147, 1300.

530 Makes changes in periods of work and instruction to be provided for in apprenticeship agreements. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thompson, Banner and Jeffrey. 633, 746, 775, 811,* 1147, 1300.

531 Enacts new Las Vegas city charter. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 647, 891, 909, 914, 949, 976,* 1285, 1347, 1370, 1380, 1412, 1413, 1428, 1449, 1458, 1539.

532 Provides temporary loans from public employee's retirement fund to construct housing for elderly persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Malone. 647.

533 Amends provisions regarding underinsured drivers of motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 660, 1190, 1200, 1223, 1224,* 1307, 1414.

534 Requires submission to voters of bond issue for purchase of land in Tahoe Basin. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nicholas, Dini and Bergevin. 660, 940, 961, 1225, 1227, 1230, 1280,* 1431, 1432, 1539.

535 Authorizes off-track pari-mutuel wagering. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Vergiels, Jeffrey and Kovacs. 660, 1089, 1095, 1145,* 1441, 1448, 1449.

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536.....Makes gaming debts collectible by or against licensed gaming establishments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Vergiels, Jeffrey, Stewart and Kovacs. 660, 1089, 1099, 1145,* 1324, 1456.

537.....Authorizes regulation of rates charged by disseminators of information for race books and sports pools. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Vergiels and Jeffrey. 660.

538.....Increases employees' lien for wages against insolvent or dissolved corporation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bourne and Nevin. 661, 943, 976,* 1324, 1456.

539.....Prohibits contract for employment which contains provision reducing employee's benefits because of age. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thompson, Schofield, Jeffrey, Banner, Dini, Berkley, Perry, Sedway, May, Fay, Bourne, Nevin, Stewart, Collins, Coffin, Price and Vergiels. 661.

540.....Permits reduction of assessment on public utilities for support of advocate for customers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 662, 708, 736, 756,* 941, 979.

541.....Makes supplemental appropriation to department of taxation for data processing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 662, 1306, 1308, 1317, 1318,* 1370, 1508.

542.....Authorizes state board of examiners to delegate responsibility for prior approval of certain contracts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 662, 747, 775, 813,* 1059, 1122.

543.....Requires notice of lis pendens if venue of action to enforce mechanic's lien is changed. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 668, 850, 864, 888, 891,* 1324, 1456.

544.....Authorizes regulation of importation of garbage. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 677, 1061, 1064, 1079, 1084,* 1307, 1414.

545.....Changes miscellaneous provisions concerning employers' accounts and employees' benefits for unemployment compensation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 677, 1044, 1048, 1058,* 1073, 1110, 1295.

546.....Makes various changes in provisions regarding industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 678.

547.....Requires local governments to specify amounts to be expended for lobbying activities in budgets. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 690.

548.....Changes composition of certain county fair and recreation boards. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 690, 940, 962, 963, 1043, 1057, 1058,* 1339, 1456.

549.....Creates Lander County Airport Authority. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 690, 1031, 1033, 1054,* 1285, 1343.

550.....Authorizes local governments to erect security walls for residential areas and finance through special improvement districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 691, 746, 776, 805, 893,* 1087, 1113, 1210.

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551 ..... Allows official bond to secure execution of duties of public administrator for certain estates. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 691, 843, 886, 887,* 1059, 1122.

552 ..... Extends liability for certain harm caused and expands type of fire protection district which may recover. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Beyer and Nevin. 691, 824, 845,* 1030, 1085.

553 ..... Allows lay teachers to instruct stockmen in practical veterinary skills. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 698, 1086, 1090, 1118,* 1324, 1336, 1357, 1358, 1429, 1441.

554 ..... Provides additional grounds for disciplining nurses. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 704, 911, 944, 945,* 1147, 1300.

555 ..... Reduces term for appeals officers who hear industrial insurance cases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 708, 876, 884, 914, 920, 944, 946,* 1285, 1343.

556 ..... Requires annual filing of certificate of fictitious name. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini, Jeffrey and Stewart. 709, 1087, 1090, 1118.*

557 ..... Requires appropriation of certain percentage of marriage license fees in large counties to organizations which assist victims of rape. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Coffin, Sedway, Bremner, Thompson, Zimmer, Berkley, Swain, Ham, Kovacs, Vergiels, Perry, Dini, Marvel, Chaney, Humke, Stewart, Jeffrey, Malone, Fay, Francis, May, Craddock, Price, Schofield and Brady.717, 1058, 1061, 1069, 1070,* 1319, 1396, 1453, 1456, 1489, 1491.

558 ..... Removes, for specified period, minimum number of days of horse racing as condition for license to conduct greyhound racing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 717, 1087, 1091, 1116, 1117, 1118,* 1431, 1438, 1439.

559 ..... Requires contractor from another state to hire percentage of Nevada labor for public work. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Chaney, Price, Collins, Jeffrey, Thompson, Dini, Redelsperger, Humke, Berkley, Craddock, Kerns, Bilyeu, Francis, Joerg, Sedway, DuBois, Nicholas, Brady, Schofield, Beyer, Thomas, Coffin, Zimmer, Swain, Perry, Nevin, Banner, Ham, Stone, Bremner, Bergevin, Bogaert, Fay, Vergiels and Malone. 718, 1042, 1046, 1071, 1072, 1079, 1083, 1084.*

560 ..... Temporarily increases casino entertainment tax and imposes temporary tax on other admissions and organizational dues. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 722.

561 ..... Creates legislative committee to study abolition of parole. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Judiciary. 722.

562 ..... Excludes corporate trustees from requirement to make intermediate accounts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 722, 843, 887,* 1324, 1508.

563 ..... Makes assorted changes in provisions concerning estates of decedents. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stewart. 722.

564 ..... Eliminates licensing of optometrists by reciprocity. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 723, 873, 887,* 1059, 1177.

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565.....Amends various provisions of law concerning landlord and tenant. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Berkley, Vergiels, Schofield, Nicholas, Humke, Chaney, Thompson, Beyer, Bogaert, Malone, Coffin, Swain, Thomas, May, Nevin, Fay, Perry, Sedway, Sader, Stewart, Getto, Price and Stone. 723, 1248, 1271, 1274, 1310, 1325, 1326.*

566.....Regulates business of performing assays. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Economic Development, Tourism and Mining. 724.

567.....Provides for district library in Pahrump. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 724, 1086, 1094, 1118, 1119,* 1370, 1393, 1394, 1466, 1490, 1491, 1528, 1529.

568.....Makes various changes to laws relating to cosmetology. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 724.

569.....Authorizes former commissioners to remain or return as commissioners on uniform state laws. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Legislative Functions. 733, 943, 976,* 1324, 1508.

570.....Amends city charter of North Las Vegas to authorize establishment of tax increment areas. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Collins, Price, Chaney, Schofield, Joerg, Bergevin, Stone, Perry, Nevin, Marvel, Brady, Fay, Bogaert, Nicholas, DuBois, Sedway, Francis, Bilyeu, Kerns, Craddock, Berkley, Humke, Redelsperger, Thompson, Sader, Thomas, Zimmer, Coffin, Beyer, Jeffrey, Stewart, Getto, Ham, Banner, Bourne, Kovacs, Dini and Vergiels. 733, 1001, 1007, 1020, 1117, 1128, 1130, 1182,* 1370, 1508.

571.....Adds chiropractors and psychiatrists to panels and boards which review industrial insurance cases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 734, 1001, 1020, 1054, 1055,* 1147, 1300.

572.....Redefines "confidential employee" for purposes of Local Government Employee-Management Relations Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 734, 1288, 1295, 1304.*

573.....Places deputy sheriffs within merit personnel system in certain counties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 751, 940, 976,* 1111, 1210.

574.....Allows other local governments to construct and operate facility for disposal and treatment of sewage and waste water. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 752.

575.....Authorizes state board of pharmacy to permit registered nurses to prescribe. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 752, 1001, 1021, 1055,* 1212, 1323.

576.....Defers dates for adoption and hearing of local government budgets and setting of tax rates. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 765, 767, 808,* 814.

577.....Makes administrative changes in program of compensation for victims of crime. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Judiciary. 766, 1073, 1077, 1101, 1102, 1121, 1145,* 1370, 1393, 1440, 1443, 1470, 1491.

578.....Requires that Six-Mile Canyon Road be designated as scenic route. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Effect less than $2,000. Dini. 766.

579.....Requires beekeepers to pay annual registration fees and assessment fees and removes special tax. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Natural Resources, Environment and Agriculture. 767, 1171, 1173, 1183,* 1324, 1336, 1337, 1508.

No. *Summary, Introducer and Page Reference*

580 Creates division within state department of agriculture to promote and regulate aquaculture. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Beyer and Thompson. 767, 775.

581 Increases compensation to victims of crime and requires peace officers to advise victims of their rights. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Francis. 767.

582 Provides procedure for parents to obtain copy of their children's fingerprints to help identify child who is lost, kidnaped or killed. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke, Stone, Ham, Malone, Bilyeu, Fay, Nevin, Swain, Stewart, Berkley and Collins. 807, 1001, 1022, 1055,* 1285, 1343.

583 Grants to boards of county commissioners certain powers with respect to cemeteries. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 807, 875, 916,* 1059, 1122.

584 Increases amount which may be recovered in suit against railroad for injury to livestock. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Marvel, Thompson, Stone, Bergevin, Bilyeu and Getto. 837, 1240, 1243, 1276, 1277, 1299.*

585 Makes various changes to law governing planning for health facilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 837, 1031, 1036, 1056,* 1306, 1307, 1308, 1456.

586 Requires public utility to disclose to prospective tenant of dwelling past average use of energy in dwelling. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin, Sedway, Marvel, Banner, Bourne, Chaney, Coffin, Collins, Fay, Jeffrey, Perry, Price, Schofield and Vergiels. 838.

587 Permits public service commission of Nevada to require public utilities to establish special rates for elderly. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway, Nevin, Bourne, Banner, Bremner, Chaney, Marvel, Coffin, Collins, Dini, Fay, Kovacs, Perry, Price, Sader, Schofield, Thompson and Vergiels. 838.

588 Requires public utility to refund or credit to its customers any earnings in excess of its authorized maximum. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway, Nevin, Banner, Marvel, Berkley, Bourne, Bremner, Chaney, Coffin, Collins, Craddock, Dini, Fay, Jeffrey, Perry, Price, Sader, Schofield, Swain, Thompson and Vergiels. 838.

589 Enlarges membership of public service commission of Nevada and terminates current terms. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Nevin and Sedway. 838.

590 Revises provisions relating to notices by insurers to policyholders and requires notice to certain other persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 839, 1207, 1208, 1224.*

591 Creates Nevada interscholastic activities association. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Education. 851.

592 Reduces limitations on export of electrical energy produced from geothermal sources. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 851, 1043, 1056,* 1285, 1343.

593 Provides for submission at next general election of question proposing to exempt certain machinery from sales and use taxes. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Yes. Bourne and Price. 851.

No. *Summary, Introducer and Page Reference*

594 Makes various changes in local government employee-management relations act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 851, 1507, 1511, 1526, 1527.*

595 Repeals special requirement for common wall in planned unit developments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 852, 1043, 1056,* 1339, 1508.

596 Authorizes county to impose tax for promotion of tourism. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 852, 971, 974, 982,* 1285.

597 Requires notice of intent to declare forfeiture of water right where center-pivot irrigation is used. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 852, 1073, 1079, 1108, 1109,* 1324, 1346, 1347, 1370, 1380, 1435, 1454.

598 Provides that physicians and other practitioners are liable for prescriptions transmitted orally by their agents. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 852, 1042, 1056, 1057,* 1285, 1414.

599 Adds dealers in motorcycles to provisions governing franchises. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 852, 997, 1026,* 1147, 1300.

600 Increases penalty for unnecessary waste of resource currently in short supply. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 852.

601 Limits liability of indigent patient's home county for expenses of hospital care furnished him in another county. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Marvel. 853.

602 Authorizes appointment of justice of the peace as ex officio police judge. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 853.

603 Exempts members of fire departments and organizations from service as jurors. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Kerns. 876.

604 Exempts elective officers from reduction of salary when employer pays retirement contributions. Fiscal Note: EffectVon Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 876, 1190, 1200, 1224,* 1427, 1436.

605 Establishes new procedure for satisfying judgments out of earnings of judgment debtor. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 876.

606 Revises various procedures for recognition of a bargaining agent under Local Government Employee-Management Relations Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Zimmer. 876.

607 Clarifies responsibilities of exclusive representative of employees of local governments. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Zimmer. 877.

608 Allocates interest earned on alfalfa seed research and promotion fund to that fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Marvel, Getto and Bergevin. 892,1001.

609 Establishes uniform requirements for connecting with public sewers. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 892.

No. *Summary, Introducer and Page Reference*

610 ..... Permits issuance of revenue bonds for housing at University of Nevada at Las Vegas. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Vergiels, Jeffrey, Sedway, DuBois, Coffin, Zimmer, Stewart, May and Chaney. 899, 1073, 1075.*

611 ..... Authorizes special parking permits for persons who transport handicapped persons. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 899, 914, 945,* 1147, 1300.

612 ..... Requires negotiation with ditch companies by local governments in Washoe County. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 899, 1073, 1075, 1076,* 1370, 1508.

613 ..... Provides payment for longevity for public administrators. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 899, 1073, 1075, 1076,* 1339. 1508.

614 ..... Limits prohibition by local government of water meters. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 899, 1186, 1187.*

615 ..... Requires insurers to offer coverage for care in a hospice. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 900, 1074, 1079, 1109,* 1491, 1492, 1495.

616 ..... Revises systems of coordinates used in descriptions of land. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Beyer. 913, 1073, 1075, 1076,* 1339, 1508.

617 ..... Enables public service commission of Nevada to require certain public utilities to have separately funded subsidiaries. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway, Nevin, Thompson, Bourne, Banner, Schofield, Perry, Collins, Price, Swain, Craddock, Kovacs, Fay, Vergiels and Berkley. 913.

618 ..... Increases fees charged to nurseries by state department of agriculture. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 936, 1171, 1174, 1183,* 1285, 1414.

619 ..... Allows registration of voters in conjunction with application for driver's license or identification card. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Elections. 936, 1129, 1139, 1140, 1184.*

620 ..... Prohibits manufacture of knife which is built into belt buckle or carrying such knife concealed. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Humke. 937.

621 ..... Authorizes board of wildlife commissioners to allow taking of protected fish by means other than angling. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 937.

622 ..... Provides procedure for exercise of power of initiative by voters of county to amend statute pertaining to that county only. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 937.

623 ..... Modifies general improvement district's power to contract, choice and use of name for district. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 941, 1167, 1170,* 1339, 1508.

624 ..... Makes changes in law controlling water pollution. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 941.

No. *Summary, Introducer and Page Reference*

625.....Makes administrative changes related to public administrators and guardians. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 942, 1073, 1075, 1076,* 1395, 1421, 1539.

626.....Permits director of department of conservation and natural resources to delegate authority to test for discharge of water pollutants. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 942.

627.....Allows owner of domestic well in certain areas to obtain permit to appropriate water. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bourne, Nevin, Stone, Nicholas, Bogaert, Humke, Beyer, Sader, Thomas and Kerns. 942, 1190, 1200, 1226, 1231, 1233, 1247.

628.....Revises Local Government Employee-Management Relations Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Government Affairs. 942.

629.....Provides for uniform speed limit in school zones. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone. 942, 1213, 1218, 1249, 1304, 1317.*

630.....Requires contractor to hire percentage of Nevada residents for public work. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Fay, Jeffrey, Thompson, Banner, Collins, Thomas and Coffin. 943.

631.....Limits formation of town boards to smaller counties. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 953, 1123, 1125, 1144, 1145,* 1339, 1508.

632.....Revising definition of "public intrastate offering" for regulation of securities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 953, 1190, 1192.*

633.....Authorizes reimbursement of travel advance fund from reserve for statutory contingency fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 970, 1110,* 1307, 1414.

634.....Requires certain employers to post bond to cover payroll as condition of receiving local business license. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Fay. 970, 1044, 1058.*

635.....Provides for corporations for economic revitalization and diversification. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Economic Development, Tourism and Mining. 971, 1129, 1140, 1167, 1169*, 1307, 1414.

636.....Provides for lien for rental charges for storage facilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 972, 1073, 1075, 1076,* 1339, 1508.

637.....Provides credit for early payment of property taxes to offset penalty for late payment. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 972.

638.....Provides additional circumstances under which vehicles may be removed from highways. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 972, 1043, 1057,* 1147, 1300.

639.....Defines "disabled vehicle" for purposes of enforcing traffic laws. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 972.

640.....Opens files of department of motor vehicles for commercial use. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 972.

No. *Summary, Introducer and Page Reference*

641 ..... Specifies manner for making turns on highways. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 972.

642 ..... Transfers records of unidentifiable dead bodies to investigation division of department of motor vehicles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 973, 1211, 1218, 1281,* 1395, 1508.

643 ..... Prohibits operation of motor vehicles and bicycles while wearing headphones. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 973, 1043, 1057.*

644 ..... Extends to all financial institutions the requirement for limited disclosure of customers' financial records for law enforcement purposes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stewart. 973.

645 ..... Creates Washoe County Water and Sewer Authority. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 994.

646 ..... Authorizes state archives to retain proceeds from sale of obsolete records. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Thomas and May. 995, 1160, 1165.

647 ..... Adds requirement for obtaining certificate of public convenience and necessity to operate as motor carrier. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 995.

648 ..... Exempts from property tax certain property leased or subleased to University of Nevada. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 995, 1430, 1442, 1471, 1488.*

649 ..... Contingently appropriates certain proceeds of tax on slot machines to pay obligations of state university under leases. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 995, 1430, 1432, 1453, 1455, 1456.*

650 ..... Reduces size of board of youth services and state mental hygiene and mental retardation advisory boards. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 995, 1058, 1061, 1070.*

651 ..... Shifts 1 cent of motor vehicle fuel tax from state highway fund to county road fund. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Taxation. 998, 1156, 1158, 1159,* 1166, 1199, 1237.

652 ..... Allows additional time for filing statement of contest after election. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 998.

653 ..... Authorizes variable rates of interest on revenue bonds for economic development. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 999, 1171, 1174, 1183,* 1339, 1508.

654 ..... Requires Colorado River commission to give preference to certain public bodies in distribution of water and power. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 999.

655 ..... Requires certain taxes by local governments upon public utilities to be approved by Nevada tax commission. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Nevin, Sedway and Marvel. 1031.

656 ..... Makes miscellaneous changes in provisions for budgets and fees of general improvement districts. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1059.

No. *Summary, Introducer and Page Reference*

657.....Amends provisions concerning rating of individual risks for industrial insurance. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Labor and Management. 1059.

658.....Increases penalties for late payment of larger amounts of taxes due on real property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 1059.

659.....Imposes tax on certain self-insured employers in lieu of general premium tax. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 1059.

660.....Requires local boards of health to file regulations locally. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Beyer. 1060, 1167, 1168, 1183,* 1307, 1414.

661.....Directs certain counties to appropriate money for transportation for elderly in taxicabs. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Vergiels and Bremner. 1060, 1168, 1170,* 1441.

662.....Allows increase of motor vehicle fuel tax by counties and incorporated cities for repair of roads. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 1089, 1202, 1204, 1205, 1224, 1226, 1227, 1237, 1306, 1308, 1326,* 1458, 1479, 1480.

663.....Lengthens permitted hours of work in mines and related facilities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Economic Development, Tourism and Mining. 1112.

664.....Authorizes allocation for support of programs of University of Nevada to encourage location or relocation of new businesses in Nevada. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1112, 1306, 1308, 1319, 1320.*

665.....Revises procedure for determining prevailing wages on public works. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto, Bilyeu and Dini. 1130.

666.....Designates state colors as silver and blue. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bogaert. 1159, 1288, 1297,* 1370.

667.....Removes requirement for minimum number of meetings by state boards, commissions, committees or councils. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 1168, 1352, 1354, 1412,* 1448.

668.....Places chief of motor pool division of department of general services in unclassified service. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 1180, 1306, 1309, 1317, 1318,* 1370.

669.....Increases fees for licenses for private investigators and polygraphic examiners. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 1188, 1274, 1275, 1304,* 1400.

670.....Reduces residency requirement for placement by Western Interstate Commission for Higher Education. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 1225, 1351, 1353,* 1441.

671.....Repeals certain statutory provisions regulating taxicabs. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Transportation. 1300.

672.....General Appropriation Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1326, 1336.* 1337, 1441, 1510.

No. *Summary, Introducer and Page Reference*

673.....Increases local taxes and establishes support from state distributive school fund. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Ways and Means. 1327, 1335,* 1336.

674.....Exempts conveyances of patented mining claims from requirement of parcel maps. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 1347.

675.....Sets salaries of persons in unclassified service of state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Ways and Means. 1352, 1430, 1442,* 1485.

676.....Makes appropriation for support of interim studies and committees. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains Appropriation. Committee on Legislative Functions. 1382, 1440, 1441.

677.....Requires compliance with compulsory motor vehicle emission programs in designated areas by certain date. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 1432, 1435, 1437, 1438,* 1466.

678.....Makes technical corrections relating to Assembly Bill No. 667 of this session. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 1444, 1448,* 1491.

679.....Requires permit and imposes fee for transport of high-level radioactive waste in this state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Fay, May, Jeffrey and Kovacs. 1459, 1478.*

680.....Increases rates of local school support tax and city-county relief tax. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Stone and Malone. 1482.

681.....Makes appropriation for interim studies approved by the 62nd session of the legislature. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Contains appropriation. Committee on Ways and Means. 1498, 1502,* 1520, 1521, 1529, 1535, 1536.

682.....Directs issuance of state bonds for certain capital improvements in state and university buildings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Committee on Ways and Means. 1536,* 1538.

683.....Directs issuance of state bonds for purpose of fire protection in state and university buildings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Executive Budget. Committee on Ways and Means. 1538,* 1539.

VETOED ASSEMBLY BILLS OF THE 61ST SESSION

400.....Revises Local Government Employee-Management Relations Act. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Government Affairs. 5, 6, 38, 39, 48, 49.

475.....Changes fees for licensing and administrative fines chargeable by Nevada state board of optometry. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 5, 6, 38, 39, 48, 49, 50.

533.....Clarifies circumstances under which bail may be denied on charge of first degree murder. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 5, 6, 38, 39, 48, 51.

No. *Summary, Introducer and Page Reference*

541 ..... Requires governor to fill vacancies in certain county offices with persons from same political party as most recent officeholder. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 5, 6, 38, 39, 48, 52, 93.

593 ..... Prohibits local government from requiring owner or lessee to hire contractor to do work on property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Coulter. 5, 6, 38, 39, 48, 52, 53.

619 ..... Requires legislative approval of certain leases of state lands. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 5, 6, 38, 39, 48, 53, 54, 93.

656 ..... Requires certain employers and other organizations to offer optional dental service plan which does not restrict choice of provider of dental services. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 5, 6, 38, 39, 48, 54, 55.

665 ..... Provides credit against certain taxes for exchange of used vehicle on purchase of automobile. Fiscal Note: Effect on Local Government: Yes. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 5, 6, 38, 39, 48, 55, 56, 93.

682 ..... Changes composition of state mental hygiene and mental retardation advisory board. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Ways and Means. 5, 6, 38, 39, 48, 56.

LISTING OF ASSEMBLY RESOLUTIONS AND ACTION THEREON

(Where a roll call vote was taken on final passage, such action is denoted by an asterisk following the page number.)

ASSEMBLY JOINT RESOLUTIONS

No. *Summary, Introducer and Page Reference*

1 ..... Urges Congress to permit recipients of supplemental security income who are mentally retarded to accumulate savings. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Health and Welfare. 36, 101, 106, 111,* 450, 455, 456, 467.

2 ..... Proposes to amend Nevada constitution to permit legislature to authorize inferior courts to suspend sentences. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Getto. 64.

3 ..... Proposes constitutional amendments to provide separate board of regents for community colleges. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway, Craddock, Perry, Nevin, DuBois, Zimmer, Collins, Francis, Jeffrey, Price, Fay, Thomas, Thompson, Kerns, Malone, Kovacs, Beyer, Getto, Ham, Bogaert, Humke, Brady, Dini, Banner, Schofield, May and Nicholas. 112, 952, 970, 1521.

4 ..... Proposes amendment to constitution to provide for limited, annual sessions of legislature and limits purpose of special sessions. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bogaert, Nicholas, Stone, Brady, Craddock, Berkley, Fay, Schofield, Sedway, Kovacs, Nevin, Kerns, Perry, Ham, Francis, Bourne, Collins, Bergevin, Malone and Vergiels. 124, 813, 817, 818, 827, 914, 921, 922,* 944, 946, 973, 977, 978.*

5 ..... Proposes constitutional amendment to allow legislators to be designated as ex officio members of boards which govern schools and universities. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Sedway, DuBois, Beyer, Jeffrey, Dini and Brady. 130.

6 ..... Memorializes Congress to remove limits on subsidized bonds for housing. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Jeffrey, Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Joerg, Kerns, Kovacs, Malone, Marvel, May, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Vergiels and Zimmer. 146, 148,* 162, 184.

7 ..... Invites Chief Justice of Supreme Court to visit City of Las Vegas. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Francis, Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Getto, Ham, Jeffrey, Joerg, Kerns, Kovacs, Malone, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Vergiels and Zimmer. 153, 155.

8 ..... Proposes to amend Nevada constitution to allow exemptions, credits or rebates for taxes on real property. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 169.

9 ..... Proposes to amend Nevada constitution to require in certain judicial districts separate election of district judges for criminal matters. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 170.

10 ..... Authorizes creation of court to hear cases arising out of taxes imposed by state. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 172.

11 ..... Urges Congress to prohibit storage of high-level radioactive waste at Nevada Test Site. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield, Coffin, Kovacs, Stewart, Sedway, Malone, Francis and Thomas. 207, 773, 801, 813,* 1030, 1033, 1087, 1088, 1237, 1238, 1247, 1299, 1300, 1307.

No. *Summary, Introducer and Page Reference*

12.....Calls upon Congress to repeal law requiring withholding of tax on interest and dividends. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Vergiels, Brady, Ham, Berkley, Malone, Bogaert, Stone, Bourne, Collins, Getto, Nicholas, Price, Nevin, Kerns, Swain, Humke, Banner, Zimmer, Bilyeu, Francis, Sader, Thompson, May, Craddock, Jeffrey, Fay, Joerg, Chaney, Thomas, Beyer, Perry, Sedway, Marvel, Bergevin, Dini, Stewart, Schofield, Kovacs, Redelsperger, DuBois, Bremner and Coffin. 210, 245, 259, 268, 269,* 341, 359.

13.....Requests federal authorities to relax standards on fluorides in water. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 290, 471, 481, 513, 532,* 689, 718.

14.....Proposes to amend the Nevada constitution to prohibit pardon for felony committed against elderly. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Banner. 290.

15.....Urges Congress to support high-speed train between Las Vegas and Los Angeles. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Legislative Functions. 307, 308,* 319, 340.

16.....Proposes constitutional amendment to provide that records and proceedings of commission on judicial discipline are open to public. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 326, 390, 408, 430, 489, 494, 532, 603, 613, 636,* 980, 1040.

17.....Urges Congress to provide strict control of wild horses and burros. Committee on Natural Resources, Environment and Agriculture. 339, 471, 481, 513, 532,* 825, 826, 873.

18.....Calls upon Congress for national strategy of peace by strengthening United States. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bogaert, Banner, Malone, Bergevin, Fay, Jeffrey, Craddock, Kerns, Joerg, Francis, Zimmer, Swain, Collins, Brady, Thomas, Kovacs, Schofield, Beyer, Nicholas, Chaney, DuBois, Sedway, Dini, Thompson, Redelsperger, Bilyeu, Perry, Marvel, Bremner, Nevin, Stone, May, Getto, Ham, Stewart and Vergiels. 373, 592, 610, 622, 1190, 1213, 1222, 1223, 1282.*

19.....Requests extension of deadline for improving quality of air. Committee on Natural Resources, Environment and Agriculture. 394, 397,* 524, 548.

20.....Proposes constitutional amendment to allow privilege tax on watercraft. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 395, 659, 679, 702,* 703.

21.....Urges Congress to ratify California-Nevada Interstate Compact. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini and Getto. 414, 572, 593, 612,* 825, 873.

22.....Requests conveyance of certain land to Pershing County water conservation district. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Marvel, Getto, Bogaert, Thompson, Bergevin and Dini. 414, 572, 593, 613,* 952, 960, 961, 979.

23.....Proposes to amend constitution to permit operation of lotteries by state for specific purposes. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Fay, Collins, Bogaert, Stone, Nevin, Bergevin, Banner, Nicholas, Ham, Thompson, Price, Jeffrey, Chaney, Thomas, Kerns, Marvel and Getto. 426, 843, 887.*

24.....Urges United States Congress to enact legislation to require imported foreign goods to meet domestic standards for safety. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini, Getto and Jeffrey. 459, 616, 633, 651,* 1111, 1210.

No. *Summary, Introducer and Page Reference*

25 ..... Urges Congress to increase allocations for United States Travel and Tourism Administration and provide for waiver of visas. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Economic Development, Tourism and Mining. 479, 646, 672, 680,* 1030.

26 ..... Requests abolition of federal estate tax and interim credit for gifts to states. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Joerg. 535, 1213, 1231,* 1339, 1508.

27 ..... Amends constitution to require sessions of legislature in even-numbered years. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: Yes. Schofield, Vergiels, Nicholas, Chaney, Coffin, Sedway, Craddock, Berkley, Thompson, Dini, Jeffrey, Collins, Price, Bergevin, Malone, Nevin, Stone, Kovacs, Bourne, Banner, Perry, Ham, Kerns, Bogaert, Redelsperger, Humke and Fay. 540, 773, 801, 813, 914, 921,* 938, 944.

28 ..... Memorializes Congress and President to provide for health care for veterans exposed to atomic radiation. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Malone, Bourne, Ham, Thomas, Coffin, Zimmer, Swain, Francis, Joerg, Sedway, DuBois, May, Fay, Kovacs, Stone, Bremner, Marvel, Bergevin, Bogaert, Collins, Perry, Sader, Jeffrey, Brady, Dini, Price, Thompson, Redelsperger, Berkley, Craddock, Kerns, Bilyeu, Nicholas, Schofield, Chaney, Beyer, Nevin, Banner, Getto, Humke and Vergiels. 576, 678, 697, 713,* 912, 964.

29 ..... Requests continued cooperation of U.S. Bureau of Land Management in water matters. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Redelsperger, Bilyeu, Thompson, Nicholas, Jeffrey, Dini, Getto, Brady, Banner and Marvel. 631, 720, 751, 772,* 1286, 1291, 1343.

30 ..... Urges Congress to abolish Federal Reserve System. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 839.

31 ..... Requests Congress to exempt winnings of individual gaming patrons from income tax. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Taxation. 850, 985, 987,* 1285, 1343.

32 ..... Proposes constitutional amendment to lengthen terms of senators and members of assembly. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Elections. 931, 1211, 1219, 1249, 1282.

33 ..... Memorializes Congress to enact legislation for mandatory adoption of the metric system. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 1339.

34 ..... Urges Congress to prohibit storage of radioactive waste at Nevada Test Site. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Natural Resources, Environment and Agriculture. 1339.

35 ..... Urges Congress not to store high-level radioactive waste at Nevada Test Site. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Schofield. 1428.*

ASSEMBLY JOINT RESOLUTIONS OF THE 61ST SESSION

No. *Summary, Introducer and Page Reference*

2 ..... Proposes to amend Nevada constitution to require open and public legislative committee meetings and abolish executive sessions of senate. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Coulter and Barengo. 5, 6, 234, 247, 259, 260,* 450, 467.

14 ..... Proposes constitutional amendment to provide that records and proceedings of commission on judicial discipline are open to public. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Dini, Mello, Glover, May, Marvel, Robinson. 5, 6.

No. *Summary, Introducer and Page Reference*

24..... Proposes to amend Nevada constitution to allow raffles for charity. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Judiciary. 5, 8, 58, 68, 72, 616, 636.*

25..... Proposes to amend Nevada constitution to allow deposit of public money in any bank or savings and loan association. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Committee on Commerce. 5, 8, 99, 106, 112,* 235, 249.

27..... Proposes to amend Nevada constitution to permit valuation of homes according to use under certain circumstances. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Bergevin. 5, 8.

30..... Proposes constitutional amendment to remove prohibition against adding judges and changing districts during term of incumbent. Fiscal Note: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No. Rusk and Barengo. 5, 9, 58, 68, 73,* 228, 241.

ASSEMBLY CONCURRENT RESOLUTIONS

No. *Summary, Introducer and Page Reference*

1..... Directs personnel division to reduce time required for certification of eligibility lists for positions in classified service of state. Committee on Government Affairs. 21, 73, 235, 249.

2..... Directs personnel division to report to legislature. Committee on Government Affairs. 21, 73, 74, 235, 249.

3..... Urges board of county commissioners of Clark County to place ordinance imposing tax for public mass transportation before voters of Clark County. Schofield, Price, Getto and Stewart. 44.

4..... Authorizes expenditure from legislative fund for payment of speaker to appear before committee of legislature. Committee on Economic Development, Tourism and Mining. 106, 153, 228, 241.

5..... Commemorates Nevada Boy Scout Day, February 7, 1983. Schofield, Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Kovacs, Malone, Marvel, May, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Vergiels and Zimmer. 110, 118, 143.

6..... Memorializes the late Louis J. Isola. Dini, Getto, Bergevin and Marvel. 142, 151, 166.

7..... Authorizes expenditure from legislative fund for travel allowances and per diem expense allowances to members of legislative committees to attend hearing in Las Vegas. Committee on Judiciary. 152, 235, 249.

8..... Encourages supreme court to take prompt action to adopt rules allowing lawyers to maintain interest-bearing trust accounts of clients' money held for a short term or of nominal amount, with interest to be transmitted to a nonprofit, tax exempt foundation to finance legal services for the poor. Committee on Judiciary. 152, 209, 210, 361, 388.

9..... Commends Lear Fan Limited on their completion of the Lear Fan resulting in the receipt of a national award. Beyer, Kerns, Bourne, Bilyeu, Bogaert, Nevin, Swain, Nicholas, Humke, Stone, Schofield, Sader, Joerg, Zimmer, Redelsperger, Dini, Coffin, Brady, Thompson, Chaney, DuBois, Ham, Vergiels, Banner, May, Kovacs, Fay, Sedway, Francis, Berkley, Craddock, Bergevin, Collins, Jeffrey, Malone, Stewart, Perry, Marvel, Price, Getto and Bremner. 173, 181, 201.

10..... Authorizes expenditures from legislative fund for travel during session by staff of legislative committees. Committee on Ways and Means. 174, 235, 271, 281.

No. *Summary, Introducer and Page Reference*

11 ..... Urges voluntary groups to educate public on dangers of driving while intoxicated. Committee on Judiciary. 174, 437, 438, 535, 571.

12 ..... Authorizes expenditure from legislative fund for payment of expenses for attendance by certain members at workshop. Committee on Economic Development, Tourism and Mining. 210.

13 ..... Commemorates Black History Month. Chaney, Collins, Swain, Sedway, Bourne, Kovacs, Zimmer, Ham, Getto, Banner, Nevin, Stone, Bogaert, May, Stewart, Fay, Jeffrey, Sader, Perry, Price, Bergevin, Malone, Marvel, Bremner, Schofield, Beyer, Thomas, Francis, Joerg, DuBois, Nicholas, Brady, Dini, Thompson, Redelsperger, Humke, Berkley, Craddock, Kerns, Bilyeu, Vergiels and Coffin. 223, 245, 261.

14 ..... Commends parent-teacher associations and designates February 28, 1983, as Nevada PTA Day. Getto, Schofield, Ham, Humke, Bilyeu, Kerns, Nevin, Price, Thompson, Thomas, Craddock, Zimmer, Bergevin, Bremner, Marvel, Berkley, Vergiels, Joerg, Bourne, Banner, Fay, Malone, Kovacs, Sader, Nicholas, Stone, Brady, Jeffrey, Stewart, Collins, May, Swain, Bogaert, Redelsperger, Francis, Coffin, Perry, Sedway, Dini, Beyer, Chaney and DuBois. 235, 252, 272.

15 ..... Commends Hugh O'Brian Youth Foundation. Bogaert, Zimmer, Kovacs, Banner, Ham, May, Fay, Stone, Nevin, Malone, Bergevin, Collins, Vergiels, Humke, Berkley, Craddock, Kerns, Bilyeu, Francis, Joerg, Nicholas, Brady, Jeffrey, Stewart, Getto, Price, Sader, Beyer, Thomas, Chaney, Coffin, Swain, Bourne, Redelsperger, DuBois, Sedway, Thompson, Dini, Schofield, Perry, Bremner and Marvel. 249, 264, 281.

16 ..... Designates March 3, 1983, as Kiwanis Day. Thomas. 270, 283, 296.

17 ..... Directs interim study of metropolitan government in urban counties. Committee on Government Affairs. 276.

18 ..... Directs legislative commission to conduct interim study of effect of federal antitrust laws on licensing of businesses by local governments. Committee on Legislative Functions. 331, 773, 774, 1239, 1323, 1357.

19 ..... Commends Girl Scouts on Girl Scout Week which was March 6 through March 12, 1983. Zimmer, Schofield, Collins, Swain, Brady, Coffin, Thomas, Kovacs, Beyer, Nicholas, Chaney, DuBois, Sedway, Dini, Thompson, Redelsperger, Humke, Berkley, Bilyeu, Sader, Perry, Price, Bremner, Nevin, Marvel, Stone, Fay, Bogaert, May, Stewart, Getto, Ham, Vergiels, Banner, Craddock, Kerns, Joerg, Francis, Malone, Bergevin, Jeffrey and Bourne. 373, 403, 424.

20 ..... Designates March 24, 1983, as Day To Be Aware of the Deaf. Nevin, Schofield, Kovacs, Zimmer, Swain, Thomas, Getto, Ham, Bourne, Banner, Stone, Fay, Bogaert, Jeffrey, May, Stewart, Nicholas, Joerg, Francis, Bilyeu, Kerns, Craddock, Berkley, Thompson, Humke, Sader, Collins, Price, Bergevin, Malone, Perry, Marvel, Bremner, Chaney, DuBois, Sedway, Brady, Beyer, Coffin, Dini, Redelsperger and Vergiels. 374, 403, 424.

21 ..... Directs legislative commission to study employment of lawyers in executive department who are independent of attorney general. Committee on Government Affairs. 391, 773, 774.

22 ..... Declares week of April 6, 1983, as Nevada Thunderbird Week. Price, Dini, Thompson, Redelsperger, Humke, Berkley, Craddock, Kerns, Bilyeu, Swain, Francis, Zimmer, Joerg, Coffin, Sedway, DuBois, Chaney, Beyer, Nicholas, Schofield, Brady, Jeffrey, Stewart, Getto, May, Ham, Bogaert, Banner, Fay, Bourne, Stone, Nevin, Kovacs, Bremner, Marvel, Malone, Collins, Perry, Bergevin, Sader, Thomas and Vergiels. 450, 471, 494.

23 ..... Provides for adjournment of legislature for 4 days. Committee on Legislative Functions. 459, 477, 513.

24 ..... Directs legislative commission to study feasibility and desirability of establishing veterans' cemetery in Nevada. May. 489, 720, 721, 1239, 1323.

No. *Summary, Introducer and Page Reference*

25.....Memorializes Thunderbird pilots of United States Air Force. Price, May, Malone, Schofield, Francis, Humke, Jeffrey, Stewart, Collins, Bergevin, Fay, Thomas, Zimmer, Bilyeu, Joerg, Bourne, Stone, Nevin, Berkley, Craddock, Ham, Nicholas, Getto, Redelsperger, Banner, Swain, Brady, Bogaert, Kovacs, Kerns, Coffin, Beyer, Sedway, Vergiels, Dini, Chaney, Marvel, Perry, Sader, Thompson, DuBois and Bremner. 500, 535, 571.

26.....Directs study by legislative commission to determine feasibility of establishing regional authority for domestic and waste water facilities in Washoe County. Beyer. 535, 1248, 1249.

27.....Directs legislative commission to study gaming. Brady, Jeffrey, Vergiels, Kovacs, Berkley, Malone, Zimmer, Sedway, DuBois, Nicholas, Bremner and Ham. 536.

28.....Designates May 5 as Nevada's State Day of Prayer. Vergiels. 659, 689, 718.

29.....Commends Washoe County's department of parks and recreation for observing Arbor Day. Bourne. 690, 721, 761.

30.....Memorializes the late Louise Marvel. Bergevin, Bremner, Malone, Getto, Price, May, Stewart, Jeffrey, Bilyeu, Brady, Joerg, Nicholas, Thomas, Zimmer, Francis, Craddock, Vergiels, Swain, Berkley, Ham, Kovacs, Bourne, Nevin, Fay, Bogaert, Stone, Collins, Redelsperger, Perry, Thompson, DuBois, Dini, Humke, Chaney, Sedway, Beyer, Coffin, Schofield, Sader, Banner and Kerns. 707, 747, 802.

31.....Directs study by legislative commission to determine zoning problems resulting from placement of manufactured homes on residential lots. Committee on Government Affairs. 718, 813, 814, 1239, 1323.

32.....Commends Nevada Library Association on "legislative hotline." Committee on Legislative Functions. 721, 764, 823.

33.....Designates April 28 as Nevada REALTORS Day. May, Craddock, Vergiels, Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Kovacs, Malone, Marvel, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson and Zimmer. 774, 825, 873.

34.....Memorializes the late James Deskin. May, Vergiels, Zimmer, Kovacs, Swain, Coffin, Thomas, Beyer, Nicholas, Chaney, DuBois, Sedway, Joerg, Bilyeu, Francis, Kerns, Craddock, Humke, Berkley, Redelsperger, Thompson, Perry, Collins, Price, Bergevin, Fay, Malone, Nevin, Stewart, Ham, Stone, Banner, Jeffrey, Dini, Schofield, Getto, Sader, Bogaert, Brady, Bourne, Marvel and Bremner. 827, 843, 873, 909.

35.....Directs interim study of possible work by prisoners for state agencies. Bogaert and Nevin. 828.

36.....Provides compensation for legislative chaplains. Committee on Ways and Means. 828, 843, 909.

37.....Directs governor's office of community services to use money returned to state for overcharges by oil companies to assist needy in paying utility bills and installing devices to conserve energy. Nevin, Sedway, Banner, Berkley, Bourne, Marvel, Chaney, Coffin, Collins, Craddock, Dini, Fay, Jeffrey, Kovacs, Perry, Price, Sader, Schofield, Swain, Thompson and Vergiels. 837, 1088, 1101, 1117, 1342, 1352.

38.....Directs public service commission of Nevada to prevent filing by utility of more than one application for general increase in rates within 180-day period. Nevin and Sedway. 837.

39.....Directs legislative commission to study feasiblity of creating new county to govern Nevada area of Lake Tahoe Basin. Committee on Government Affairs. 850.

40.....Directs legislative commission to study rules of internal management of department of motor vehicles. Stone, Thompson, Zimmer, Swain, Coffin, Getto, Humke, Nevin, Fay, Price and Joerg. 885.

No. *Summary, Introducer and Page Reference*

41 ..... Directs legislative commission to study laws relating to crimes against elderly. Thompson, Banner, Jeffrey, Berkley, Sader, Vergiels, Schofield, May and Dini. 896.

42 ..... Designates May 5 as day to honor Black Chamber of Commerce. Chaney, Collins, Price, Kovacs, Bourne, Nevin, Stone, Bogaert, Fay, Banner, Ham, Jeffrey, Stewart, May, Getto, Thomas, Francis, Brady, Schofield, Nicholas, Beyer, DuBois, Coffin, Sedway, Joerg, Zimmer, Vergiels, Swain, Kerns, Bilyeu, Craddock, Berkley, Humke, Redelsperger, Thompson, Dini, Sader, Perry, Bergevin, Malone, Marvel and Bremner. 919, 941, 979.

43 ..... Memorializes the late Pat Emery. Schofield and Jeffrey. 932, 941, 979.

44 ..... Memorializes late E. F. "Chow" McGarry. Vergiels, Humke, Getto, Joerg, Thomas, Jeffrey, Kovacs, Bourne, Stone, Nevin, Fay, Banner, Ham, Brady, Beyer, Coffin, Chaney, DuBois, Sedway, Zimmer, Bilyeu, Kerns, Craddock, Berkley, Redelsperger, Thompson, Dini, Sader, Perry, Collins, Price, Bergevin, May, Bogaert, Malone, Marvel, Bremner, Swain, Francis, Nicholas, Stewart and Schofield. 935, 941, 979.

45 ..... Directs public service commission of Nevada to mail agenda of its hearings to interested persons upon request. Nevin, Sedway, Marvel, Banner, Bourne, Kovacs, Craddock, Thompson, Dini, Schofield, Coffin, Swain, Sader, Perry, Jeffrey, Collins, Fay, Bremner, Stewart and Vergiels. 936, 1000, 1007.

46 ..... Requests return of Assembly Bill No. 411 from governor's office. Stone. 1002, 1030, 1122.

47 ..... Directs legislative commission to study means to aid abused and neglected children. Humke, Bourne, Berkley, Craddock, Kerns, Bilyeu, Francis, Joerg, Sedway, DuBois, Redelsperger, Nicholas, Chaney, Stone, Banner, Nevin, Fay, Thompson and Kovacs. 1033, 1248, 1249, 1324, 1508.

48 ..... Directs department of personnel to study criteria for determining salaries for classified service. Committee on Government Affairs. 1060, 1428, 1539.

49 ..... Directs legislative commission to study providers of health care and health and care facilities. Committee on Legislative Functions. 1060, 1248, 1250, 1324, 1508.

50 ..... Directs legislative commission to study effects of certain tax measures; including taxation of aviation. Price. 1117, 1246, 1248, 1295, 1427, 1539.

51 ..... Recommends that public service commission of Nevada review maximum rates of return allowed to certain utilities. Nevin, Sedway and Marvel. 1130.

52 ..... Expresses legislative intent concerning residential development in Tahoe Basin. Bergevin, Dini and Nicholas. 1187, 1316, 1414.

53 ..... Designates May 22 through May 28 as National Public Works Week. Schofield, Jeffrey and Vergiels. 1190, 1234, 1323.

54 ..... Creates special committee to study dyslexia and other specific learning disabilities. Craddock. 1191, 1248, 1250, 1427, 1539.

55 ..... Directs legislative commission to study mining laws. Committee on Legislative Functions. 1225, 1274, 1427, 1539.

56 ..... Directs legislative commission to study promotion of economic development and tourism. Committee on Legislative Functions. 1225, 1274.

57 ..... Encourages purchase of local agricultural products. Nicholas, Dini, Getto, Bergevin and Kovacs. 1225, 1370, 1508.

58 ..... Urges board of regents to establish advisory boards for community colleges. Jeffrey and Sedway. 1248.

59 ..... Directs legislative commission to study and develop statewide plan for disasters caused by fire. Dini, Redelsperger and Getto. 1303, 1339.

No. *Summary, Introducer and Page Reference*

60 ..... Designates May 29 through June 4, 1983 as Tourism Week. Committee on Economic Development, Tourism and Mining. 1303, 1339, 1508.

61 ..... Approves execution of lease of state property to Southern Nevada Association for the Handicapped. Committee on Ways and Means. 1304, 1370, 1508.

62 ..... Directs drivers' license division of department of motor vehicles to license drivers who drive safely through use of corrective lenses and bioptic telescopic devices. Vergiels and Jeffrey. 1317, 1395, 1508.

63 ..... Memorializes late William M. Woods. Getto, Chaney, Collins and Bilyeu. 1340, 1370, 1508.

64 ..... Commends superintendent of state printing and records division. Vergiels, Jeffrey, Bourne, Kovacs, Stewart, Banner, Chaney, Dini, Bilyeu, May, Fay, Nevin, Perry, Bergevin, Berkley, Craddock, Swain, Coffin, Sedway, Thomas, Zimmer, Stone, Francis, Bogaert, Malone, DuBois, Redelsperger, Beyer, Kerns, Humke, Price, Schofield, Getto, Ham, Marvel, Brady, Thompson, Collins, Joerg, Nicholas, Bremner and Sader. 1348, 1395, 1508.

65 ..... Commends Patricia A. Cox for activities to eliminate poverty in rural Nevada. Redelsperger, Price, Banner, Ham, Beyer, Thomas, Coffin, Zimmer, Joerg, DuBois, Chaney, Sader, Fay, Malone, Marvel, Kovacs, Swain, Francis, Sedway, Craddock, Bilyeu, Kerns, Berkley, Thompson, Jeffrey, Stewart, Nevin, Bremner, Bourne, Collins, Brady, Perry, Bergevin, Stone, Bogaert, Dini, Getto, Humke, Nicholas, Vergiels, Schofield and May. 1423, 1466.

66 ..... Commends and rewards legislative counsel bureau. Price, Vergiels, Kovacs, Schofield, Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Malone, Marvel, May, Nevin, Nicholas, Perry, Redelsperger, Sader, Sedway, Stewart, Stone, Swain, Thomas, Thompson and Zimmer. 1459, 1510.

ASSEMBLY RESOLUTIONS

No. *Summary, Introducer and Page Reference*

1 ..... Provides for appointment of assembly attaches. Committee on Legislative Functions. 10, 34.

2 ..... Provides allowances to members of assembly for periodicals, stamps, stationery and communications. Committee on Legislative Functions. 11, 34.

3 ..... Adopts Assembly Standing Rules for 62nd session of legislature. Committee on Legislative Functions. 11, 34.

4 ..... Repeals Assembly Standing Rule No. 104. Brady and Vergiels. 17, 24, 40.

5 ..... Provides for appointment of additional assembly attache. Committee on Legislative Functions. 146, 166.

6 ..... Thanks Wayne Newton for his participation in opening ceremonies. Schofield, Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Kovacs, Malone, May, Nevin, Nicholas, Price, Redelsperger, Sader, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Vergiels, Zimmer, Perry and Marvel. 155, 156, 195.

7 ..... Commends William W. Morris on his service to Nevada. Vergiels, Kovacs, Schofield, Collins, Beyer, DuBois, Sedway, Chaney, Sader, Bremner, Dini, Marvel, Coffin, Perry, Redelsperger, Thompson, Stewart, Price, Humke, Ham, Thomas, Francis, Kerns, Craddock, Nevin, Bergevin, Berkley, Bourne, Stone, Malone, Fay, Brady, Bogaert, Nicholas, Bilyeu, Joerg, Swain, Zimmer, Jeffrey, Getto, Banner and May. 181, 201.

8 ..... Provides for appointment of additional assembly attaches. Committee on Legislative Functions. 197, 216.

No. *Summary, Introducer and Page Reference*

9..... Commends Mike O'Callaghan for his public service. Vergiels, Kovacs, Thompson, Thomas, Getto, Bogaert, Kerns, Ham, Zimmer, Jeffrey, Joerg, Bilyeu, Humke, Stone, Bergevin, Nicholas, Malone, Fay, Nevin, Sader, Bourne, Swain, Collins, Francis, Chaney, DuBois, Beyer, Dini, Sedway, Brady, Redelsperger, Berkley, Craddock, Coffin, Marvel, May, Stewart, Perry, Bremner, Banner, Price and Schofield. 272, 288.

10..... Commends girls' basketball team of Reno High School. Kerns, Humke, Nicholas, Bogaert, Stone, Nevin, Swain, Bourne, Sader, Thomas and Beyer. 278, 296.

11..... Amends Assembly Standing Rule 94 to extend privileges of floor to former assemblymen. Committee on Legislative Functions. 438, 473, 494.

12..... Provides for appointment of additional assembly attache. Committee on Legislative Functions. 573, 613.

13..... Provides for appointment of additional assembly attache. Committee on Legislative Functions. 573, 613.

14..... Provides for appointment of additional assembly attaches. Committee on Legislative Functions. 659, 705.

15..... Requests return of S.B. 415 from senate. Price, Collins and Jeffrey. 1180, 1212, 1323.

16..... Designates assemblymen as regular and alternate members of legislative commission. Committee on Legislative Functions. 1417.

17..... Commends Lavelle I. Johnson, assembly supervisor of bill clerks. Committee on Legislative Functions. 1489.

18..... Requests return of Assembly Bill No. 672 from senate. Brady, Zimmer and DuBois. 1510.

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Sixty-second Session, 1983

Title	*Name*	*Mailing Address*
Speaker	John M. Vergiels	3555 Algonquin Drive, Las Vegas 89109
Speaker pro Tempore	James W. Schofield	1740 Howard Avenue, Las Vegas 89104
Chief Clerk	Mouryne B. Landing	P.O. Box 138, Carson City 89702

PERSONNEL OF THE NEVADA STATE ASSEMBLY

Sixty-second Session, 1983

District	*Name and Party*	*Mailing Address*
Carson City (part) Washoe (part), No. 37	Thomas, Bob (R)	152 Bonanza Drive, Carson City 89701
Carson City (part), No. 40	Joerg, Charles W. (R)	P.O. Box 1060, Carson City 89702
Clark, No. 1	Kovacs, Edward J. (D)	5820 Velma Avenue, Las Vegas 89108
Clark, No. 2	DuBois, John (R)	2047 Westwind Road, Las Vegas 89102
Clark, No. 3	Bremner, D. Roger (D)	821 Fairway Drive, Las Vegas 89107
Clark, No. 4	Malone, Mike (R)	508 Estella Avenue, Las Vegas 89107
Clark, No. 5	Brady, William D. (R)	P.O. Box 15401, Las Vegas 89114
Clark, No. 6	Collins, Gene (D)	1101 Eleanor Avenue, Las Vegas 89106
Clark, No. 7	Chaney, Lonie (D)	504 Kasper Avenue, Las Vegas 89106
Clark, No. 8	Zimmer, Barbara (R)	1913 Plaza De La Cruz, Las Vegas 89102
Clark, No. 9	Coffin, Bob (D)	1721 E. Lewis, Las Vegas 89101
Clark, No. 10	Vergiels, John M. (Jack) (D)	3555 Algonquin Drive, Las Vegas 89109
Clark, No. 11	Banner, James J. (D)	2223 Poplar Avenue, Las Vegas 89101
Clark, No. 12	Schofield, James W. (D)	1740 Howard Avenue, Las Vegas 89104
Clark, No. 13	Berkley, Shelley L. (D)	1980 E. Pebble Road, Las Vegas 89123
Clark, No. 14	Stewart, Janson F. (D)	400 E. Stewart Street, Suite 906, Las Vegas 89101
Clark, No. 15	Sedway, Marvin M. (D)	3101 Maryland Parkway, Suite 305, Las Vegas 89109

District	*Name and Party*	*Mailing Address*
Clark, No. 16	Ham, Jane (R)	6637 Surrey Street, Las Vegas 89119
Clark, No. 17	Price, Robert E. (D)	1809 Renada Circle, North Las Vegas 89030
Clark, No. 18	Fay, Robert W. (Bob) (D)	4710 Meredith Avenue, Las Vegas 89121
Clark, No. 19	May, Paul W. (D)	3309 Wright Avenue, North Las Vegas 89030
Clark, No. 20	Craddock, Robert G. (D)	6090 E. Lake Mead Boulevard, Las Vegas 89115
Clark, No. 21	Thompson, Danny L. (D)	226 Navajo Drive, Henderson 89015
Clark, No. 22	Jeffrey, John E. (Jack) (D)	340 E. Chaparral, Henderson 89015
Clark, No. 41	Francis, Steven C. (R)	3830 Swenson Street, Apt. 709, Las Vegas 89109
Clark, No. 42	Perry, Charles C., Jr. (D)	3454 E. Monte Carlo Drive, Las Vegas 89121
Douglas (part), No. 39	Bergevin, Louis W. (R)	P.O. Box 188, Gardnerville 89410
Elko, Eureka (part), No. 33	Bilyeu, Byron (Bill) (R)	P.O. Box 511, Elko 89801
Esmeralda, Lincoln, Mineral, Nye, No. 36	Redelsperger, Kenneth K. (R)	Star Route, Box 6616, Pahrump 89041
Humboldt, Pershing, Lander (part), Washoe (part), No. 34	Marvel, John W. (R)	P.O. Box 432, Battle Mountain 89820
Lyon, Storey, Churchill (part), Douglas (part), No. 38	Dini, Joseph E., Jr. (D)	104 N. Mountain View, Yerington 89447
Washoe, No. 23	Nicholas, David D. (R)	P.O. Box 5319, Incline Village 89450
Washoe, No. 24	Beyer, Erik (R)	1274 St. Alberts Drive, Reno 89503
Washoe, No. 25	Kerns, Bob L. (R)	1955 LaFond Drive, Reno 89509
Washoe, No. 26	Humke, David E. (R)	3521 Postre Court, Reno 89502
Washoe, No. 27	Bogaert, Bruce R. (R)	2900 Vassar Street, Reno 89502
Washoe, No. 28	Swain, Courtenay C. (D)	920 Gordon Avenue, Reno 89509
Washoe, No. 29	Bourne, Charles G. (D)	P.O. Box 12910, Reno 89510
Washoe, No. 30	Stone, James A. (R)	439 Steffanie Way, Sparks 89431
Washoe, No. 31	Nevin, Leonard V. (D)	3081 Meadowlands Court, Sparks 89431
Washoe, No. 32	Sader, Robert M. (D)	462 Court Street, Reno 89501
White Pine, Churchill (part), Eureka (part), Lander (part), No. 35	Getto, Virgil M. (R)	1400 Lovelock Hwy., Fallon 89405

ATTACHES OF THE NEVADA STATE ASSEMBLY

Sixty-second Session, 1983

Name	*Title*	*City*
Carol L. Moore	Assistant Chief Clerk	Carson City
Joan E. Anderson	History Clerk	Sparks
Amy L. Phelps	Journal Clerk	Carson City
Ruth I. Olquin	Minute Clerk	Reno
James E. Ohriner	Sergeant-at-Arms	Las Vegas
Craig C. Page	Assistant Sergeant-at-Arms	Carson City
Gina L. Capurro	Page	Reno
Curtis N. Culver	Page	Incline Village
R. David Kirby	Page	Carson City
Ramona L. Yeary	Page	Carson City
Patricia V. Hatch	Supervisor of Stenographers	Reno
Roberta E. Alldis	Committee Stenographer	Carson City
Jeanne W. Church	Committee Stenographer	Reno
Mary B. DeFelice	Committee Stenographer	Carson City
Jane Dunne	Committee Stenographer	Genoa
Andrea K. Engleman	Committee Stenographer	Carson City
Sandra N. Gagnier	Committee Stenographer	Carson City
Barbara A. Gomez	Committee Stenographer	Sparks
Barbara A. Henry	Committee Stenographer	Las Vegas
Martha E. Herndon	Committee Stenographer	Reno
Clare E. Jones	Committee Stenographer	Carson City
Colette L. Keen	Committee Stenographer	Reno
Deanna Lefko	Committee Stenographer	Carson City
Gloria P. Lohner	Committee Stenographer	Minden
Anne M. Peirce	Committee Stenographer	Reno
Marjorie D. Robertson	Committee Stenographer	Carson City
Janine Sagues	Committee Stenographer	Carson City
Judy E. Sappenfield	Committee Stenographer	Virginia City
Pamela B. Sleeper	Committee Stenographer	Carson City
Janet V. Snyder	Committee Stenographer	Carson City
Mary S. Walker	Committee Stenographer	Dayton
Cynthia D. Baldau	Stenographer	Reno
Alice J. Brouss	Stenographer	Reno
Linda B. Keaton	Stenographer	Carson City
Charise L. Selover	Stenographer	Carson City
Christine W. Shaw	Stenographer	Carson City
Alesia L. Tillman	Typist	North Las Vegas
Maxine M. Morrison	Telephone Supervisor	Carson City
Terry Lynn Carmona	Telephone Clerk	Carson City
Elizabeth A. Morrow	Telephone Clerk	Carson City
Evelyn M. Shewan	Telephone Clerk	Carson City
Henry E. Gardner	Bill Supply Clerk	Carson City
Charles L. Daniels	Bill Supply Clerk	Carson City
William L. Marks	Bill Supply Clerk	Virginia City
Silvio D. Mastroianni	Bill Supply Clerk	Carson City
Lavelle I. Johnson	Supervisor of Clerks	Carson City
Sally W. Dunfield	Supervisor of Clerks	Carson City
Joan Boucher	Bill Clerk	Carson City

ATTACHES OF THE NEVADA STATE ASSEMBLY—*Continued*

Name	*Title*	*City*
Seanna L. Evans	Bill Clerk	Carson City
Ed J. Ferro	Bill Clerk	Carson City
Barbara J. Garret	Bill Clerk	Virginia City
Darlene M. Geurts	Bill Clerk	Silver Springs
Gladys L. Hart	Bill Clerk	Carson City
Joyce A. Hess	Bill Clerk	Virginia City
Martha J. Laird	Bill Clerk	Carson City
Edna K. McDonald	Bill Clerk	Garderville
Virginia M. Nevin	Bill Clerk	Virginia City
Shanna H. Pozzi	Bill Clerk	Carson City
Jane S. Ternau	Bill Clerk	Carson City
Esther D. Thompson	Bill Clerk	Carson City
Wilfred J. Wick	Bill Clerk	Carson City
Harold B. Wright	Bill Clerk	Carson City
Jackie E. Zaro	Bill Clerk	Carson City

Journal

OF THE

ASSEMBLY OF THE STATE OF NEVADA

SIXTY-SECOND SESSION

THE FIRST DAY

CARSON CITY (Monday), January 17, 1983

Pursuant to the provisions of the Constitution and Statutes, the Assembly was called to order by Secretary of State William D. Swackhamer at 12 noon.

Battle Hymn of the Republic and America the Beautiful were sung by Wayne Newton.

Prayer by the Chaplain, Father Gerald T. Hanley.
Pledge of allegiance to the Flag.

Mr. Secretary of State requested Mrs. Mouryne B. Landing to serve as temporary Chief Clerk of the Assembly.

Roll called.
Present: Assemblymen Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Jeorg, Kerns, Malone, Marvel, May, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Vergiels and Zimmer.
Absent: Assemblyman Kovacs, who was excused.

Mr. Secretary of State appointed Assemblymen Craddock, Chaney, Price, Stewart, Beyer, Marvel and DuBois as a temporary Committee on Legislative Functions to examine credentials.

Mr. Secretary of State announced that if there were no objections, the Assembly would recess for 15 minutes while credentials are examined by the temporary Committee on Legislative Functions.

Assembly in recess at 12:09 p.m.

ASSEMBLY IN SESSION

At 12:24 p.m.
Secretary of State Swackhamer presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Secretary of State:

Your temporary Committee on Legislative Functions has had the credentials of the respective Assemblymen-elect under consideration, and begs leave to report that the following persons have been and are duly elected and qualified Members of the Assembly of the 62nd Session of the Legislature of the State of Nevada:

Assemblymen Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Malone, Marvel, May, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Vergiels and Zimmer, and Mr. Edward J. Kovacs who has been administered the oath of office.

ROBERT G. CRADDOCK, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Craddock moved the adoption of the report.
Motion carried unanimously.

Mr. Secretary of State appointed Assemblymen Bremner and Malone as a committee to escort Chief Justice Noel Manoukian of the Supreme Court of the State of Nevada to the rostrum to administer the oaths of office to the Assemblymen.

Chief Justice Manoukian administered the oaths of office to the Assemblymen.

Assemblyman Ham moved that Chief Justice Manoukian be given a unanimous vote of thanks for administering the oath.

Motion carried unanimously.

The appointed committee escorted the Chief Justice of the Supreme Court to the bar of the Assembly.

Roll Called.

Present: Assemblymen Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Malone, Marvel, May, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Vergiels and Zimmer.

Absent: Assemblyman Kovacs, who was excused.

Mr. Secretary of State announced that there would be no temporary organization of the Assembly, and that all nominations were in order for permanent appointment.

Mr. Secretary of State declared that nominations were in order for Speaker.

Assemblyman Dini nominated Assemblyman Vergiels for Speaker.

Assemblyman May moved that nominations be closed.

Motion carried unanimously.

Mr. Secretary of State declared Assemblyman Vergiels to be Speaker of the Assembly.

Mr. Secretary of State appointed Assemblymen Redelsperger and Sader as a committee to escort Mr. Speaker to the rostrum.

Mr. Speaker presiding.

Assemblyman Thompson moved that Secretary of State Swackhamer be given a unanimous vote of thanks for his services to the Assembly.

Motion carried unanimously.

Mr. Speaker appointed Assemblymen Getto and Berkley as a committee to escort the Secretary of State to the bar of the Assembly.

The appointed committee escorted Secretary of State Swackhamer to the bar of the Assembly.

Remarks by Mr. Speaker.

Assemblyman Jeffrey requested that Mr. Speaker's remarks be entered in the Journal:

I will keep my remarks brief. That usually brings a round of applause. I would like to say that I'm very proud to be elected Speaker by this group. As you can tell by the ceremonies here today, our motto is "Patriotism Is Good"; to be a Nevadan is to be patriotic. From this day forward, our motto will be "Open Government and Accessibility to the Public". And that is where we stand.

My success as Speaker is going to rest on the members of this body. And when I look around, because of the number of new faces, we have been vastly underrated in the press and some of the reports. But I would like to say that when I look at you and hear what I did in the mock session yesterday, I am proud to be a representative. Our strength sits in each one of those chairs where you are right now.

I will do everything I can to support you, and I know that we are going to do a fantastic job together.

Thank you very much.

Mr. Speaker declared that nominations were in order for Speaker pro Tempore.

Assemblyman Bourne nominated Assemblyman Schofield for Speaker pro Tempore.

Assemblyman Bilyeu moved that nominations be closed.

Motion carried unanimously.

Mr. Speaker declared Assemblyman Schofield to be Speaker pro Tempore of the Assembly.

Remarks by Mr. Speaker pro Tempore.

Assemblyman Jeffrey requested that Assemblyman Schofield's remarks be entered in the Journal:

Thank you, Mr. Speaker.

I appreciate your confidence in allowing me to be part of the leadership in this assembly, and I promise you that I will take care of that confidence.

Thank you very much.

Mr. Speaker declared that nominations were in order for Chief Clerk.

Assemblyman Bogaert nominated Mouryne B. Landing to be Chief Clerk.

Assemblyman Coffin moved that nominations be closed.

Motion carried unanimously.

Mr. Speaker declared Mrs. Mouryne B. Landing to be Chief Clerk of the Assembly.

Mr. Speaker appointed Assemblymen May, Banner and Bergevin as a committee to inform the Senate that the Assembly was organized and ready for business.

Mr. Speaker appointed Assemblymen Dini, Jeffrey and Brady as a committee to inform the Governor that the Assembly was organized and ready for business.

A committee from the Senate composed of Senators Blakemore, Townsend and Jacobsen appeared before the bar of the Assembly and announced that the Senate was organized and ready for business.

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

Assembly in recess at 12:56 p.m.

ASSEMBLY IN SESSION

At 1:15 p.m.

Mr. Speaker presiding.

Quorum present.

Assemblyman May reported that his committee had informed the Senate that the Assembly was organized and ready for business.

Assemblyman Dini reported that his committee had informed the Governor that the Assembly was organized and ready for business.

Assemblyman Jeffrey moved that the following persons be accepted as accredited press representatives, that they be assigned space at the press table and be allowed the use of appropriate broadcasting facilities:

Thomas Gardner, Barbara Herman, Mitchell Landsberg, Larry Ryckman, Brendan Riley, John Roll, Chris Woodyard, ASSOCIATED PRESS; Jay Aldrich, Connie Brashear, Joyce Hollister, GARDNERVILLE RECORD COURIER; Chris Broderick, Mary Hausch, Gary Thompson, Ed Vogel, Charles Zobell, LAS VEGAS REVIEW JOURNAL; Jim Barrows, Ruth Deskin, Brian Greenspun, Hank Greenspun, Jim Coleman, Mike O'Callaghan, LAS VEGAS SUN; Val Edwards, Barbara Egbert, Mike Grundmann, John Hayes, Dorothy Kosich, Dennis Baughman, Sue Morrow, Lisa Smith, Patt Quinn, John Fenrich, NEVADA APPEAL; Lance Iverson, Jack McFarren, Marilyn Newton, NEVADA STATE JOURNAL; Lee Alder, Dick Cooper, Doug Dill, Martin Griffith, RENO EVENING GAZETTE; Guy Shipler, SACRAMENTO BEE; Linda Bowen, David Hoffman, TAHOE DAILY TRIBUNE; Geoff Dorman, Russ Nielson, Cy Ryan, UNITED PRESS INTERNATIONAL; Adrienne Abbott, Stacey Giomi, Jerry Schafer, KKBC RADIO CARSON CITY/RENO;

Bruce Robinson, Guy Shipler, KOH RADIO, RENO; Patrice Bingham, Eric Roy, KOLO RADIO, RENO; Adrienne Abbott, Stacey Giomi, Jerry Schafer, KPTL RADIO, CARSON CITY; Art Kraft, KRLT RADIO, SOUTH LAKE TAHOE; Adrienne Abbott, Stacey Giomi, Jerry Schafer, MORTIMER BROADCASTING CO., CARSON CITY; John Fripo, Kevin Burke, Pete Cirivilleri, Dick DeWitt, Jeff Michael, Bob Young, KCRL-TV, RENO; Mark Fiero, Dan Musgrove, KLAS-TV, LAS VEGAS; Mitch Fox, Steve Herman, George Knapp, Russ McNeil, Ernie Ohlson, Julie Smith, Liz Vlaming, KLVX-TV, LAS VEGAS; Tom Ainsworth, John Howe, Bruce Hutchison, Mike Miles, KOLO-TV, RENO; Buddy Frank, Jackie Bales, Jon Close, Dennis Myers, Tom Olson, Ed Pearce, Kirk Frosdick, Gary Martin, KTVN-TV RENO; Ed Clarke, Rob McCoy, Rick Smith, Hank Tester, KVBC-TV, LAS VEGAS; Beth Davidson, John Davidson, TRIVIDEO PRODUCTIONS, TAHOE CITY; Burge Hulett, NATIVE NEVADAN, RENO, Rod Jackson, KTVN-TV, LAS VEGAS, Rose Anne DeCristoforo, NEVADA LEGISLATIVE NEWS SERVICE; Max Wignall, ELKO INDEPENDENT; D. Ray Garnder, KELK-ELKO; Mark McMahon, HUMBOLDT SUN; Mel Steniger, ELKO DAILY FREE PRESS; Terry Kieser-Cooper, BATTLE MOUNTAIN BUGLE.

Motion carried.

MESSAGES FROM THE SECRETARY OF STATE

THE STATE OF NEVADA
DEPARTMENT OF STATE
CARSON CITY, NEVADA 89701

January 17, 1983

HONORABLE JOHN M. VERGIELS, *Speaker of the Nevada Assembly, Legislative Building,* Carson City, Nevada 89710

Dear Mr. Speaker:

In compliance with Nevada law, please find enclosed Assembly Bills Nos. 400, 475, 533, 541, 593, 619, 656, 665 and 682 of the 61st session, which were vetoed by Governor List.

The Governor's veto messages are also enclosed.

Very truly yours,

WM. D. SWACKHAMER
Secretary of State

THE STATE OF NEVADA
DEPARTMENT OF STATE
CARSON CITY, NEVADA 89701

January 17, 1983

HONORABLE JOHN M. VERGIELS, *Speaker of the Nevada Assembly, Legislative Building,* Carson City, Nevada

Dear Mr. Speaker:

In compliance with the laws of the State of Nevada, I return herewith Assembly Joint Resolutions Nos. 25, 27, 24, 30, 14 and 2 of the 61st session for the consideration of the houses.

Very truly yours,

WM. D. SWACKHAMER
Secretary of State

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that vetoed Assembly Bills Nos. 400, 475, 533, 541, 593, 619, 656, 665 and 682 of the 61st Session be made a Special Order of Business for Monday, January 24, 1983, at 11:15 a.m.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 17, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 1.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Coulter and Barengo:

Assembly Joint Resolution No. 2 of the 61st Session—Proposing to amend sections 6 and 15 of article 4 of the constitution of the State of Nevada to require the legislature to establish procedures for its standing and select committees and to abolish executive sessions of the senate.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 6 and 15 of article 4 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] *Sec.* 6. Each House shall judge of the qualifications, elections and returns of its own members, choose its own officers (except the President of the Senate), [determine the rules of its proceedings and] may punish its members for disorderly conduct, and with the concurrence of two thirds of all the members elected, expel a member. *Each house shall determine the rules of its proceedings, except that the legislature shall provide by law procedures for the standing and the select committees of the legislature.*

[Sec:] *Sec.* 15. The doors of each House shall be kept open during its session, [except the Senate while sitting in executive session,] and neither shall, without the consent of the other, adjourn for more than three days nor to any other place than that in which they may be holding their sessions.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblymen Dini, Mello, Glover, May, Marvel, Robinson, Prengaman and Thompson:

Assembly Joint Resolution No. 14 of the 61st Session—Proposing to amend section 21 of article 6 of the constitution of the State of Nevada, relating to the judicial department, by limiting the circumstances under which the records and proceedings of the commission on judicial discipline are confidential, and extending the commission's jurisdiction over judges of lower courts.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 21 of article 6 of the constitution of the State of Nevada be amended to read as follows:

Sec. 21. 1. A justice of the supreme court, [or a] district judge, *justice of the peace or municipal or police judge* may, in addition to the [provision] *provisions* of article 7 for impeachment [,] *and removal,* be censured, *reprimanded,* retired or

removed by the commission on judicial discipline. A justice or judge may appeal from the action of the commission to the supreme court, which may reverse such action or take any alternative action provided in this subsection.

2. The commission is composed of:

(a) Two justices or judges appointed by the supreme court;

(b) Two members of the State Bar of Nevada, a public corporation created by statute, appointed by its board of governors; and

(c) Three persons, not members of the legal profession, appointed by the governor.

The commission shall elect a chairman from among its three lay members.

3. If at any time the State Bar of Nevada ceases to exist as a public corporation or ceases to include all attorneys admitted to practice before the courts of this state, the legislature shall provide by law, or if it fails to do so the court shall provide by rule, for the appointment of attorneys at law to the positions designated in this section to be occupied by members of the State Bar of Nevada.

4. The term of office of each appointive member of the commission, except the first members, is 4 years. Each appointing authority shall appoint one of the members first appointed for a term of 2 years. If a vacancy occurs, the appointing authority shall fill the vacancy for the unexpired term. An appointing authority shall not appoint more than one resident of any county. The governor shall not appoint more than two members of the same political party. No member may be a member of a commission on judicial selection.

5. The [supreme court] *commission* shall make appropriate rules for:

(a) [The confidentiality of all proceedings before the commission, except a decision to censure, retire or remove a justice or judge.

(b)] The grounds of censure.

[(c)] (b) The conduct of investigations and hearings.

6. No justice or judge may by virtue of this section be:

(a) Removed except for willful misconduct, willful or persistent failure to perform the duties of his office or habitual intemperance; or

(b) Retired except for advanced age which interferes with the proper performance of his judicial duties, or for mental or physical disability which prevents the proper performance of his judicial duties and which is likely to be permanent in nature.

7. Any person may bring to the attention of the commission any matter relating to the fitness of a justice or judge. The commission shall, after preliminary investigation, dismiss the matter or order a hearing to be held before it. If a hearing is ordered, a statement of the matter [shall] *must* be served upon the justice or judge against whom the proceeding is brought. The commission in its discretion may suspend a justice or judge from the exercise of his office pending the determination of the proceedings before the commission. Any justice or judge whose removal is sought is liable to indictment and punishment according to law. A justice or judge retired for disability in accordance with this section is entitled thereafter to receive such compensation as the legislature may provide.

8. If a proceeding is brought against a justice of the supreme court, no justice may sit on the commission for that proceeding. If a proceeding is brought against a district judge, no judge from the same judicial district may sit on the commission for that proceeding. If an appeal is taken from an action of the commission to the supreme court, any justice who sat on the commission for that proceeding is disqualified from participating in the consideration or decision of the appeal. When any member of the commission is disqualified by this subsection, the supreme court shall appoint a substitute from among the eligible judges.

9. The commission may:

(a) Designate for each hearing an attorney or attorneys at law to act as counsel to conduct the proceeding;

(b) Summon witnesses to appear and testify under oath and compel the production of books, papers, documents and records;

(c) Grant immunity from prosecution or punishment when the commission deems it necessary and proper in order to compel the giving of testimony under oath and the production of books, papers, documents and records; and

(d) Exercise such further powers as the legislature may from time to time confer upon it.

10. The records of an investigation of the fitness of a justice or judge by the

commission are confidential unless and until the contents are revealed in a hearing. The records made during the hearing are open to the public. The deliberations of the commission are confidential. The commission shall provide by rule for preserving the confidentiality of records and proceedings when required by this subsection and permitting their inspection when required by this subsection.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Judiciary:

Assembly Joint Resolution No. 24 of the 61st Session— Proposing an amendment to section 24 of article 4 of the constitution of the State of Nevada, prohibiting lotteries, by authorizing raffles for charity.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 24 of article 4 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] *Sec.* 24. [No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.] *The legislature may authorize only persons engaged in charitable activities or other activities not for profit to conduct lotteries on their own behalf if the net proceeds are used for charitable purposes or for an activity conducted in this state not for profit and may provide by law for the regulation of these lotteries. The state and its political subdivision shall not conduct a lottery.*

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Commerce:

Assembly Joint Resolution No. 25 of the 61st Session—Proposing to amend sections 9 and 10 of article 8 of the constitution of the State of Nevada to remove any prohibition against the deposit of public money in any bank, mutually owned depository or savings and loan association.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That sections 9 and 10 of article 8 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] *Sec.* 9. The State shall not donate or loan money, or its credit, subscribe to or be, interested in the Stock of any company, association, or corporation, except corporations formed for educational or charitable purposes. *This section does not prohibit the deposit of money of the state in any bank, savings and loan association or mutual owned depository.*

[Sec:] *Sec.* 10. No county, city, town, or other municipal corporation shall become a stockholder in any joint stock company, corporation or association whatever, or loan its credit in aid of any such company, corporation or association, except, rail-road corporations, companies or associations. *This section does not prohibit the deposit of money of a county, city, town or other municipal corporation in any bank, savings and loan association or mutually owned depository.*

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Bergevin, Price and Rusk:

Assembly Joint Resolution No. 27 of the 61st Session—Proposing an amendment to article 10 of the constitution of the State of Nevada, permitting the legislature to provide separately for the assessment or valuation of certain real property.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 1 of article 10 of the constitution of the State of Nevada be amended to read as follows:

Section 1. [The] *1. Except as otherwise provided in this section, the* legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal and possessory, except mines and mining claims, when not patented, the proceeds alone of which shall be assessed and taxed, and when patented, each patented mine shall be assessed at not less than five hundred dollars ($500), except when one hundred dollars ($100) in labor has been actually performed on such patented mine during the year, in addition to the tax upon the net proceeds. [; shares]

2. The legislature may provide separately for the assessment or valuation of any real property or portion of real property which the owner occupies as his residence, and may provide for the valuation of such property on the basis of its use. If at any time the residence is rented or used for some other purpose than as a residence for the owner, the valuation of the property must be determined in the same manner as other property.

3. Shares of stock (except shares of stock in banking corporations), bonds, mortgages, notes, bank deposits, book accounts and credits, and securities and choses in action of like character are deemed to represent interest in property already assessed and taxed, either in Nevada or elsewhere, and shall be exempt. [Notwithstanding the provisions of this section, the]

4. The legislature may constitute agricultural and open-space real property having a greater value for another use than that for which it is being used, as a separate class for taxation purposes and may provide as separate uniform plan for appraisal and valuation of such property for assessment purposes. If such *a* plan is provided, the legislature shall also provide for retroactive assessment for a period of not less than 7 years when agricultural and open-space real property is converted to a higher use conforming to the use for which other nearby property is used.

5. Personal property which is moving in interstate commerce through or over the territory of the State of Nevada, or which was consigned to a warehouse, public or private, within the State of Nevada from outside the State of Nevada for storage in transit to a final destination outside the State of Nevada, whether specified when transportation begins or afterward, shall be deemed to have acquired no situs in Nevada for purposes of taxation and shall be exempt from taxation. Such property shall not be deprived of such exemption because while in the warehouse the property is assembled, bound, joined, processed, disassembled, divided, cut, broken in bulk, relabeled or repackaged.

6. The legislature may exempt motor vehicles from the provisions of the tax required by this section, and in lieu thereof, if such exemption is granted, shall provide for a uniform and equal rate of assessment and taxation of motor vehicles, which rate shall not exceed five cents on one dollar of assessed valuation.

7. The legislature shall provide by law for a progressive reduction in the tax upon business inventories by 20 percent in each year following the adoption of this provision, and after the expiration of the 4th year such inventories are exempt from taxation. The legislature may exempt any other personal property, including livestock.

8. No inheritance or estate tax shall ever be levied. [, and there shall also be excepted such property as may be exempted by law]

9. The legislature may exempt by law property used for municipal, educational, literary, scientific or other charitable purposes.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Rusk and Barengo:

Assembly Joint Resolution No. 30 of the 61st Session—Proposing to amend the Nevada constitution to remove the prohibition against

increasing judges or changing the number of judicial districts during the term of an incumbent.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 5 of article 6 of the constitution of the State of Nevada be amended to read as follows:

Sec. 5. The state is hereby divided into Nine Judicial Districts of which the county of Storey shall constitute the First; The county of Ormsby the Second; the county of Lyon the Third; The county of Washoe the Fourth; The counties of Nye and Churchill the Fifth; the county of Humboldt the Sixth; The county of Lander the Seventh; The county of Douglas the Eighth; and the county of Esmeralda the Ninth. The county of Roop shall be attached to the county of Washoe for judicial purposes until otherwise provided by law. The Legislature may, however, provide by law for an alteration in the boundaries or divisions of the Districts herein prescribed, and also for increasing or diminishing the number of the Judicial Districts and Judges therein. But no [such change shall] *provision for diminishing the number of judges may* take effect, except in case of a vacancy, or the expiration of the term of an incumbent of the office. At the first general election under this Constitution there shall be elected in each of the respective Districts (except as in this Section hereafter otherwise provided) One District Judge, who shall hold Office from and including the first Monday of December AD. Eighteen hundred and Sixty four and until the first Monday of January in the year Eighteen hundred and Sixty seven. After the said first election, there shall be elected at the General election which immediately precedes the expiration of the term of his predecessor, One District Judge in each of the respective Judicial Districts (except in the First District as in this Section hereinafter provided.) The District Judges shall be elected by the qualified electors of their respective districts, and shall hold office for the term of 6 years (excepting those elected at said first election) from and including the first Monday of January, next succeeding their election and qualification; Provided, that the first Judicial District shall be entitled to, and shall have Three District Judges, who shall possess co-extensive and concurrent jurisdiction, and who shall be elected at the same times, in the same manner, and shall hold office for the like terms as herein prescribed, in relation to the Judges in other Judicial Districts, any one of said Judges may preside on the [empanneling] *empaneling* of Grand Juries and the presentment and trial on indictments, under such rules and regulations as may be prescribed by law.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Legislative Functions:

Assembly Resolution No. 1—Providing for the appointment of attaches.

Resolved by the Assembly of the State of Nevada, That the following persons are elected as attaches of the assembly for the 62nd session of the legislature of the State of Nevada: Carol Moore, Joan Anderson, Amy Phelps, Ruth Olguin, James Ohriner, Craig Page, Gina Capurro, Curtis Culver, Randall Kirby, Ramona Yeary, Patricia Hatch, Roberta Alldis, Jeanne Church, Mary DeFelice, Andrea Engleman, Sandra Gagnier, Barbara Gomez, Barbara Henry, Colette Keen, Charise Selover, Deanna Lefko, Gloria Lohner, Signe McAulay, Lynn Maddux, Anne Peirce, Julie Petrini, Marjorie Robertson, Judy Sappenfield, Christine Shaw, Pamela Sleeper, Mary Walker, Yvonne Owens, Alesia Tillman, Maxine Morrison, Terry Lynn Carmona, Elizabeth Morrow, Evelyn Shewan, Henry Gardner, Charles Daniels, Silvia Mastroianni, William Marks, Lavelle Johnson, Sally Dunfield, Joan Boucher, Clayton Dudoit, Seanna Evans, Ed Ferro, Darlene Geurts, Gladys Hart, Joyce Hess, Martha Laird, Edna McDonald, Virginia Nevin, Shanna Pozzi, Wilfred Wick, Harold Wright, Jackie Zaro, Ronald Gash, Barbara Garrett, Jane Ternau and Cynthia Baldau.

Assemblyman DuBois moved the adoption of the resolution.

Resolution adopted unanimously.

By the Committee on Legislative Functions:

Assembly Resolution No. 2—Providing allowances to the leaders and other members of the assembly for periodicals, stamps, stationery and communications.

Assemblyman Beyer moved the adoption of the resolution.

Resolution adopted unanimously.

By the Committee on Legislative Functions:

Assembly Resolution No. 3—Adopting Assembly Standing Rules for the 62nd session of the legislature.

Resolved by the Assembly and Senate of the State of Nevada, That the Assembly Standing Rules as amended by the 61st session are adopted for the 62nd session of the Legislature with the amendment of Rule 40 to read as follows:

40

Standing Committees.

The standing committees of the Assembly shall be as follows:

1. Ways and Means, thirteen members.
2. Judiciary, eleven members.
3. Taxation, eleven members.
4. Elections, [eleven] *seven* members.
5. Education, [nine] *seven* members.
6. Legislative Functions, nine members.
7. [Agriculture, nine] *Natural Resources, Environment and Agriculture, seven* members.
8. [Labor,] *Labor and Management,* nine members.
9. Transportation, [nine] *eleven* members.
10. Commerce, [eleven] *thirteen* members.
11. Economic Development , [and Natural Resources,] *Tourism and Mining,* nine members.
12. Health and Welfare, [seven] *nine* members.
13. Government Affairs, eleven members.

Assemblyman Beyer moved the adoption of the resolution.

Resolution adopted unanimously.

Senate Concurrent Resolution No. 1.

Assemblyman Dini moved the adoption of the resolution setting forth the Joint Rules of the Senate and Assembly of the 62nd Session.

Remarks by Assemblyman Dini.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Getto, Redelsperger, Bergevin and Marvel:

Assembly Bill No. 1—An Act relating to secured transactions; requiring the filing of financial statements covering movable farm products or equipment used in farming operations with the secretary of state; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Commerce.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 17, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 1.

Mae Lofthouse
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 1.

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

By Assemblymen Dini and Vergiels:

Assembly Bill No. 2—An Act making an appropriation from the state general fund to the department of administration for bill drafts for executive agencies and the judicial department for the fiscal year ending June 30, 1983; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Dini and Vergiels:

Assembly Bill No. 3—An Act relating to matter printed for the legislature; making changes in the distribution of bills and other publications; and providing other matters properly relating thereto.

Assemblyman Dini moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Dini.

Motion carried unanimously.

By Assemblymen Dini and Vergiels:

Assembly Bill No. 4—An Act relating to bill books; increasing the fee to be charged for a set of the books; and providing other matters properly relating thereto.

Assemblyman Dini moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Dini.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced the following standing committees, the first-named member of each committee being the chairman, the second-named being the vice chairman:

COMMERCE—

Jeffrey, Bourne, Berkley, Bremner, Chaney, Kovacs, Sedway, Bogaert, DuBois, Kerns, Redelsperger, Stone, Thomas.

ECONOMIC DEVELOPMENT, TOURISM AND MINING—

Price, Swain, Collins, Kovacs, Stewart, Getto, Joerg, Marvel, Redelsperger.

EDUCATION—

Craddock, Sedway, Nevin, Price, Beyer, Kerns, Malone.

ELECTIONS—

Sader, Perry, Berkley, Coffin, Beyer, Ham, Malone.

GOVERNMENT AFFAIRS—

Dini, Schofield, Bourne, Craddock, Jeffrey, May, Bergevin, Bogaert, Kerns, Nicholas, Thomas.

HEALTH AND WELFARE—

Chaney, Nicholas, Collins, Perry, Stewart, Swain, Bilyeu, Bogaert, Humke.

JUDICIARY—

Stewart, Berkley, Collins, Fay, Nevin, Swain, Bilyeu, Ham, Humke, Malone, Stone.

LABOR AND MANAGEMENT—

Banner, Collins, Fay, Jeffrey, Thompson, Francis, Ham, Thomas, Zimmer.

LEGISLATIVE FUNCTIONS—

Kovacs, DuBois, Bourne, Craddock, May, Schofield, Brady, Francis, Nicholas.

NATURAL RESOURCES, ENVIRONMENT AND AGRICULTURE—

Thompson, Banner, Dini, Sader, Bilyeu, Marvel, Nicholas.

TAXATION—

May, Schofield, Banner, Craddock, Kovacs, Price, Bergevin, Francis, Getto, Joerg, Zimmer.

TRANSPORTATION—

Coffin, Nevin, Fay, Price, Swain, Thompson, Getto, Humke, Joerg, Stone, Zimmer.

WAYS AND MEANS—

Bremner, Sader, Chaney, Coffin, Dini, Perry, Sedway, Thompson, Beyer, Brady, DuBois, Marvel, Redelsperger.

MAJORITY FLOOR LEADER—

John (Jack) E. Jeffrey.

ASSISTANT MAJORITY FLOOR LEADER—

Janson F. Stewart.

MAJORITY WHIP—

Robert M. Sader.

MINORITY FLOOR LEADER—

Bill D. Brady.

ASSISTANT MINORITY LEADER—

David D. Nicholas.

GENERAL FILE AND THIRD READING

Senate Bill No. 1.
Bill read third time.
Remarks by Assemblymen Bremner and Nicholas.
Roll call on Senate Bill No. 1:
YEAS—41.
NAYS—None.
Absent—Kovacs.

Senate Bill No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 3:
YEAS—41.
NAYS—None.
Absent—Kovacs.

Assembly Bill No. 3 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 4.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 4:
YEAS—41.
NAYS—None.
Absent—Kovacs.

Assembly Bill No. 4 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Hal Beesley, Harold Clement, Mesdames Pat Beesley, Freda Clement and Erin Vergiels.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Alice Banner, Jackie Messina and Mr. Anthony F. Messina.

On request of Assemblyman Berkley, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Frederic Berkley.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Karen Beyer, Messrs. Steven Beyer, Paul Beyer, Scott Beyer, Ms. Lisa Beyer, Messrs. and Mesdames Louis Beyer and E. Vaughn Abbott.

On request of Assemblyman Bilyeu, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Nancy Bilyeu and Rodney Boudwin.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Candy Bogaert, Messrs. Raymond Bogaert, Dave Buell, Pat Geary, Don Bryan and John McCauley.

On request of Assemblyman Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Candy Bourne, Messrs. Claude B. Bourne, Joe Gordon, Ms. Mary Bourne, Anna Gordon and Barbara Althouse.

On request of Assemblyman Bremner, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Elizabeth Morris Bremner, Ms. Ayden Elizabeth Bremner and Whitney Ann Bremner.

On request of Assemblyman Chaney, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Joyce Chaney.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Ruby Collins.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Siegi Proctor.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Jeanne Dini, Messrs. Pio Galantuomini, Jack Allen, Mark Marsh, Mike Dini, Aniceto Garcia, Ms. Laverne Marwin and Wilma Garcia.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Carol Humke, Wilma Humke, Ms. Jennifer S. Humke, Elizabeth A. Humke and Mr. Gary Rosenberg.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Sandy Joerg, Ms. Stacie Joerg and Mr. Alan Joerg.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Ruth Kerns, Mr. Tom Kerns, Ms. Nancy Kerns, Rachel Robinson and Diana Elias.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Terri Malone.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Willie Marvel, Sharon Andreasen, Ms. Amber Andreason, Sheri Andreasen and Mr. Bobby Andreason.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Beverly Wilke and Cindy Creighton.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames KayLee Nicholas and Isabel Poppenhager.

On request of Assemblyman Perry, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Liz Perry and Master Bobby Perry.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Hattie Price and Miss Cae Pennington.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Ruth S. Redelsperger, Anne Redelsperger and Miss Megan Redelsperger.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Billie Lee Schofield, Messrs. Rick Schofield, W. W. "Bill" Galloway, Ms. Ruth Galloway, Messrs. Wayne Newton, Don Vincent, Alan Margulies, Mike Forch, Ron Lurie, Manny Cortez and Ms. Mona Matoba.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Kim Sedway.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Gayle Stone, Ms. Heather Stone and Polly Evans.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. K. Gregory Swain.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Danny L. Thompson.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Representative Barbara Vucanovich and Mrs. Patty Cafferata.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Lucille May.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, January 24, at 11 a.m.

Motion carried.

Assembly adjourned at 2:23 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SECOND DAY

CARSON CITY (Tuesday), January 18, 1983

Assembly called to order at 11:04 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblyman Kovacs, who was excused.
Prayer by the Chaplain, Assemblyman Bob Thomas.
Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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 GOVERNOR

THE STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, NEVADA

January 17, 1983

ASSEMBLYMAN JOHN VERGIELS, *Speaker of Nevada Assembly, Legislative Building,* Carson City, Nevada 89710

Dear Speaker Vergiels:

With permission of your honorable body, I propose to address the legislature sitting in joint session on the state of the state. I suggest the hour of 7:00 p.m. on January 19, 1983.

I await your confirmation.

Sincerely,

RICHARD H. BRYAN
Governor

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Brady and Vergiels:
Assembly Resolution No. 4—Repealing Assembly Standing Rule No. 104.

Resolved by the Assembly of the State of Nevada, That Assembly Standing Rule No. 104 is hereby repealed and its number reserved for future use.

Assemblyman Brady moved that the resolution be placed on the Chief Clerk's desk.
Remarks by Assemblyman Brady.
Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Dini, Getto, Bergevin, Marvel, Redelsperger and Bilyeu:
Assembly Bill No. 5—An Act relating to industrial insurance;

increasing the wages deemed earned by volunteer firemen; and providing other matters properly relating thereto.

Assemblyman Dini moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Dini and Vergiels:

Assembly Bill No. 6—An Act relating to the legislative auditor; revising the procedures of arranging for audits and presenting and distributing audit reports; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 7—An Act relating to exemptions from service as jurors; removing an exemption which conflicts with the general limitation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 8—An Act relating to executions; correcting references to the minimum wage; removing the specified rate of interest from the form for a writ of execution on a judgment for money; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 9—An Act relating to tort claims against local governments; relaxing requirements of notice; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 10—An Act relating to takeover bids for private corporations; repealing requirement to disclose the intent to make a public offer for the shares of a corporation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 11—An Act relating to homesteads; clarifying ambiguities in certain statutory provisions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 12—An Act relating to embezzlement of vehicle; repealing the presumption arising from failure to return a leased or rented vehicle to the owner; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 13—An Act relating to the requirement for open and public meetings; providing an exception for all judicial proceedings; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 14—An Act relating to motor carriers; removing the requirement that motor carriers of interstate commerce submit certain information to the public service commission of Nevada; providing opportunity for a hearing before the suspension of a certificate, permit or license; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 15—An Act relating to the crime of murder; removing the death penalty when the murder was merely committed in the course of a felony; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Marvel, Price and Bergevin:

Assembly Bill No. 16—An Act relating to mineral rights; providing for the lapse of all mineral interests which have not been used for 20 years and for reversion to the owner of the surface interest; providing an exception for owners of 10 or more mineral interests; and providing other matters properly relating thereto.

Assemblyman Marvel moved that the bill be referred to the Committee on Economic Development, Tourism and Mining.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the following persons be accepted as accredited press representatives and that they be assigned space at the press table and allowed the use of appropriate broadcasting facilities:

Ann Pifini, Fernley News; Jim Sanford, Dave Sanford, Bob Sanford, Mason Valley News, Yerington; Darrell Dreyer, KNVV Radio, Las Vegas.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Coffin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. James Coffin and Ms. Claudina Coffin.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, January 19, at 11 a.m.

Motion carried.

Assembly adjourned at 11:22 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRD DAY

CARSON CITY (Wednesday), January 19, 1983

Assembly called to order at 11:04 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblyman Kovacs, who was excused.
Prayer by the Chaplain, Father Gil Canuel.
Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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, January 18, 1983

To the Honorable Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 4.

Mae Lofthouse
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:
Assembly Concurrent Resolution No. 1—Directing the personnel division of the department of general services to reduce the time required for certification of lists of persons eligible to fill vacancies in positions in the classified service of the state.
Assemblyman Dini moved that the resolution be referred to the Committee on Government Affairs.
Motion carried.

By the Committee on Government Affairs:
Assembly Concurrent Resolution No. 2—Directing the personnel division of the department of general services to report to the legislature concerning its progress in carrying out the recommendations of the legislative committee to study personnel administration in state government.
Assemblyman Dini moved that the resolution be referred to the Committee on Government Affairs.
Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Stone, DuBois, Nevin, Humke, Redelsperger, Kerns, Bogaert, Nicholas, Zimmer and Ham:
Assembly Bill No. 17—An Act relating to motorcycles; limiting the

requirement for protective headgear to drivers and passengers under 18 years of age; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 18—An Act relating to the state board of examiners; makes various changes in the handling of the money in the stale claims account and the reserve for statutory contingency fund; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 19—An Act relating to the Nevada state library; abolishing the division for cooperative services; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 20—An Act relating to the state personnel system; requiring consultation with outside experts in planning, designing and applying improved systems of data processing for use by the personnel division of the department of general services; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 21—An Act relating to state financial administration; requiring state agencies to advise the interim finance committee or certain standing committees of the legislature concerning changes of positions from one occupational class or subclass to another; removing the requirement for prior approval of such changes by the interim finance committee; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 22—An Act relating to state officers and employees; revising provisions governing the classified and unclassified service of the state and the designation of positions therein; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 23—An Act relating to the state personnel system; providing incentives to employees in the classified service for performance above standard; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 24—An Act relating to the state personnel system; adding to the circumstances under which the requirements of competitive examination may be suspended; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 25—An Act relating to the state personnel system; requiring that the chief of the personnel division of the department of general services establish objectives and policies for the division; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 26—An Act relating to the state personnel system; providing additional annual leave, or payment therefor, for each employee who has not used his sick leave for a specified period of time; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 27—An Act relating to the state personnel system; providing that preferences for veterans and widows of veterans do not apply to promotional examinations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 28—An Act relating to the advisory personnel commission; providing requirements for the composition of the commission; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 29—An Act relating to the state personnel system; revising provisions governing disciplinary proceedings; eliminating review by the advisory personnel commission of the hearing officer's decisions; providing for appointment of hearing officers by a majority of the commission; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 30—An Act relating to the state personnel system; authorizing the personnel division of the department of general services to approve the consideration of factors in addition to prevailing rates in the setting of salaries for the classified service; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Ham, Dini, Marvel, Thompson and Bergevin:

Assembly Bill No. 31—An Act relating to the uses of land; providing for the protection of the keeping of livestock from litigation as a nuisance and the protection of that keeping and the use of wells and septic tanks from ordinances and regulations which would prohibit them; requiring that notice of a hearing on any proposed zoning regulation, restriction or boundary be posted on certain property; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Brady moved that Assembly Resolution No. 4 be taken from the Chief Clerk's desk.

Motion carried.

Assembly Resolution No. 4.

Assemblyman Brady moved the adoption of the resolution.

Remarks by Assemblyman Brady.

Resolution adopted unanimously.

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

Assembly in recess at 11:27 a.m.

ASSEMBLY IN SESSION

At 11:28 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the following person be accepted as an accredited press representative and that he be assigned space at the press table and allowed the use of appropriate broadcasting facilities:

Dale Pugh, REVIEW JOURNAL, LAS VEGAS.

Motion carried.

Mr. Speaker pro Tempore announced that there shall be a Joint Recess of the Senate and Assembly, Tuesday, January 25, 1983, 11:30 a.m., for the purpose of hearing Ted Sanders of the Department of Education and Bob Bersi, Chancellor of the University of Nevada.

Mr. Speaker pro Tempore announced that there shall be a Joint Session of the Senate and Assembly, Monday, January 31, 1983, 11:30 a.m., for the purpose of hearing the Honorable Harry Reid, United States Representative for Nevada.

Assemblyman Jeffrey moved that the Assembly recess until 6:45 p.m.

Motion carried.

Assembly in recess at 11:38 a.m.

ASSEMBLY IN SESSION

At 6:50 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Jeffrey and Fay as a committee to invite the Senate to meet in Joint Session with the Assembly to hear the Governor's Message.

Mr. Speaker appointed a Committee on Escort consisting of Assemblymen Francis and Perry to escort the President pro Tempore of the Senate to the rostrum.

Mr. Speaker appointed a Committee on Escort consisting of Assemblymen Nevin and Humke to escort the President of the Senate to the rostrum.

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

Assembly in recess at 6:51 p.m.

ASSEMBLY IN SESSION

At 6:56 p.m.

Mr. Speaker presiding.

Quorum present.

Assemblyman Jeffrey reported that his committee had invited the Senate to meet in Joint Session with the Assembly to hear the Governor's Message.

The Committee on Escort in company with the President of the Senate appeared before the bar of the Assembly.

The Committee on Escort escorted the President of the Senate to the rostrum.

The Committee on Escort in company with the President pro Tempore of the Senate appeared before the bar of the Assembly.

The Committee on Escort escorted the President pro Tempore of the Senate to the rostrum.

The Members of the Senate appeared before the bar of the Assembly.

Mr. Speaker invited the Members of the Senate to chairs in the Assembly.

IN JOINT SESSION

At 6:58 p.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 Assemblyman Kovacs, who was excused.

The President of the Senate appointed a Committee on Escort consisting of Senator Bilbray and Assemblyman Bremner to wait upon the Governor of the State of Nevada and escort him to the Assembly Chamber.

The President of the Senate appointed a Committee on Escort consisting of Senator Horn and Assemblyman Joerg to wait upon the Justices of the Supreme Court and escort them to the Assembly Chamber.

The Committee on Escort in company with Chief Justice Noel E. Manoukian, Justice E. M. Gunderson, Justice John C. Mowbray, Justice Charles E. Springer and Justice Thomas L. Steffan appeared before the bar of the Assembly.

The Committee on Escort escorted the Justices of the Supreme Court to chairs in the Assembly.

The Committee on Escort in company with his Excellency, Richard H. Bryan, Governor of the State of Nevada, appeared before the bar of the Assembly.

The Committee on Escort escorted the Governor to the rostrum.

The President of the Senate welcomed the Governor and invited him to deliver his message.

The Governor delivered his message as follows:

MESSAGE OF THE GOVERNOR TO THE LEGISLATURE OF NEVADA

January 19, 1983

Mr. President, Mr. Speaker, distinguished members of the Legislature, distinguished Justices of the Supreme Court, and my fellow Nevadans.

It is my privilege to stand before you tonight for the first time, to carry out one of the highest obligations of the chief executive to the people of the State of Nevada.... Delivering the State of the State Address.

Before beginning, I would like to extend a warm welcome to the new members of the Assembly and Senate who have taken their seats for the first time at this 62nd session of the Nevada Legislature.

CURRENT FISCAL SITUATION

When the legislature adjourned in 1981, it was expected that the State would collect $417 million in the current year. That projection proved overly optimistic. We will, in fact, take in less than $353 million leaving the state with a $64 million shortfall.

In addition to the year end revenue shortage, we are experiencing immediate cash flow problems. In November the State could not make the quarterly payments to local school districts, instead, checks, had to be written on a month to month basis. Quite simply, checks covering the full quarterly payments due would not have cleared the bank.

Your approval Monday of the return to the general fund of $20 million loaned in 1979 to the retirement system greatly eased these problems. It is, however, only a partial solution.

In order to provide for an adequate cash reserve, I now ask to approve legislation changing the payment of the gaming gross revenue tax, now collected quarterly, to a monthly basis. That will provide an additional infusion of $25 million into the current fiscal year. In order to realize the full benefit this legislation must be approved prior to April 1.

These are the short term solutions which must be passed to enable us to get through this year's fiscal crisis. Looking to our budgetary needs the next two years....

BUDGET

I first and foremost propose a balanced budget. The proposals are straight forward. There are no financial gimmicks to postpone the cash shortfalls of today in the hopes of an economic miracle tomorrow.

It is a people, not project, oriented budget which allows us to protect the needs of our citizens today and, at the same time, build for a stronger economic future.

To achieve our goal of a balanced budget, we must reduce government spending, and the proposals I place before you tonight do that....in the amount of $10 million. That is in addition to the multi-million dollar spending cuts implemented in the current year.

These new cuts are coming from a number of areas....Operating Budgets, Travel, Equipment and Personnel.

Some ssecifics:

We are consolidating state space and moving a number of state offices out of rental properties into state-owned facilities. One example: The Nevada Highway Patrol is moving to take advantage of part of the 34,000 square feet of now unused space on the grounds of the Mental Health Center. A net saving of $70,000 per year.

We are cutting costs through the elimination of a number of top-level administrative and supervisory positions. Among the positions eliminated or left vacant: A State Planner, Director of General Services, five division heads in the Department of Conservation and Natural Resources, as well as a number of deputy level positions throughout State Government.

Among the programs we are eliminating....Cloud seeding. It might not be one of your better known state projects, but it is one of the most costly....$400,000 per year.

We also hope to achieve considerable cost savings through the use of prison labor to build additional bed space at the prisons. Not only will that cut construction costs, but will help reduce the price tag on inmate care and engage prisoners in productive activities.

Of course, we are not just dealing with programs but with people who make them work. State employees and others who look to the state budget for salary support deserve recognition for their efforts and they deserve a cost of living pay raise. We simply do not have the money.

I sincerely hope our short-term budget solutions and long-term plans for economic growth provide additional revenues that will make pay raises possible next year. I will submit to the legislature a method to trigger such a raise based on improving revenues.

Before describing our budget proposals in detail, a couple of general observations are in order.

In 1981, you passed a $422 million budget for the fiscal year, of which 52.6 per cent was set aside for education. That is a commitment which must be maintained in the next two years.

Another observation goes to the fundamentals of government. We have heard that in hard times, business tightens its belt. Government, we are told, should do the same. It is an appealing argument, and indeed when times are tough, government should cut expenses. Government cannot, however, avoid its responsibilities. When times are tough, business loses customers. When times are hard, government gains customers, and they are customers who cannot take their business elsewhere! More people are in need of assistance. Medical aid to the indigent increases. Social service agencies in Mental Health, Child Abuse and Alcohol Treatment experience greater demand. The prison population continues to grow. When times are tough, government is more in the grip of uncontrollable expenses than is the private sector.

With all the budget cutting I've outlined, the state still needs an additional $75 million in 1983-84 and an additional $82 million in 1984-85 to balance the budget. Therefore, it is my unpleasant duty to tell you it will be necessary to raise additional revenues, and the only way to do that is to increase taxes.

TAXES

Before describing my tax proposal, a few general comments are in order.

I believe that a sound tax system must be adequate to support the necessary and legitimate functions of government. It must be fair in the sense that all taxpayers, similarly situated, pay essentially the same tax. It must be simple, and it must be understandable. I am convinced that any tax system not understood immediately suffers from suspicion and doubt.

Judged by these standards, the 1981 tax package must be changed.

Therefore, I am recommending that the legislature enact a variety of tax and fee increases to raise $17 million in each year of the biennium....included are increases in the insurance premium tax, the beer and wine tax; and corporate and civil action filing fees.

Even with these increases, the state will need an additional $58 million in 1983-84 and an additonal $64 million the following year to balance the budget. We have examined all possible tax sources....I oppose a personal income tax. My position on the sales tax is clear. It is too high. I will, therefore, oppose any effort to balance our budget with a higher sales tax. Through enactment of my long-term tax proposals, the sales tax can be reduced and residential and small business property taxes kept low.

I urge the legislature to reimpose the five and three quarters percent rate on gaming gross revenues.

I have already addressed the collection of the gaming tax on a monthly basis. This will generate an additional $25 million this year.

To balance the budget I propose an additional 75 cents on the property tax roll. That money will be earmarked for local schools.

This additonal property tax, to be imposed at the local level, will increase direct support of the schools, and will provide a more stable revenue source than exists at present.

I am also proposing a program of financial assistance to homeowners, renters and mobile home residents. This program would minimize the impact of the 75 cents property tax increase on the lower and middle income household. It would provide a cash grant to each household in the state. The amount of that cash grant would be $80 in 1983-84, and $88 the following year. By providing direct cash grant, renters—not landlords—would receive the financial assistance intended.

I will give two examples of how this would work.

A $60,000 home in Las Vegas is now paying $500 in property tax. The 75 cents will add $157.50 to that bill. The $80 grant offsets all but $77.50 of the increase. That is about $6.45 a month.

On an apartment with $400 per month rent, we estimate an additional $92 tax bill which will be passed on to the renter. The $80 grant would result in the renter feeling an additional impact of only $1 per month.

This concept is not new. In 1979, Senators Lamb, Gibson and Glaser proposed legislation which included a rebate system for homeowner and renters. The senate passed that bill. It was a sound approach then. It is a sound approach now. It is the interim solution until our long range proposals are in place. I strongly urge your support.

Legislative reform is also needed in the way real property is assessed. Changes enacted during the 1981 session resulted in serious inequities. Homeowners—living side by side in houses of similar value—may receive substantially different tax bills. I recommend that the Legislature eliminate this inequity and establish an assessment system fair to all.

Our goal, then, is to develop a fair system of taxation, one which protects the homeowner, renter, mobile home resident and the small business owner from an unreasonable property tax burden.

To accomplish this, I am proposing two constitutional amendments. The first would allow the Legislature to establish an exemption or tax credit that would apply equally to all property. The effect of this proposal will be a reduction in the property tax burden on the homeowner, renter, mobile home resident and small business. The 1981 Legislature sought a similar objective when it passed a proposed constitutional amendment which would allow residential property to pay less tax than commercial property.

There is a second problem that needs correcting, between 1979 and 1982, utilities, railroads, and airlines enjoyed $33 million in property tax reductions. Clearly this result was not intended by the Legislature. The second constitutional amendment I propose would require utilities, railroads and airlines be assessed and taxed separate from other property, this guaranteeing that they pay their fair share of property taxes.

I believe this tax program is fair, easy to understand and provides a sound foundation for our future.

ECONOMIC DEVELOPMENT

Throughout the campaign I stressed the need for broadening Nevada's economic base. Economic diversification is clearly the key to this state's future prosperity. I pledged that if elected I would submit specific recommendations on the ways to achieve that goal.

Tonight I renew that pledge and propose a comprehensive economic partnership plan. Its central features—a reorganized Department of Tourism and Economic Development—enhanced job training and small business assistance.

It is in this vital area of economic development that I am seeking the largest percentage increase in state spending—$3.3 million for fiscal year 1983 and 3.4 million dollars for 1984.

Tourism is Nevada's economic mainstay, yet the state of Nevada—spends less to promote tourism than any state in the nation—a meager $40,000 a year. Local governments, convention authorities and the private sector all agree that the state should become an active partner in tourism promotion. We must do more to promote Nevada, not just its gaming—but its recreational and scenic resources—as well as a growing array of cultural and special events. It's gaming and so much more. We must do more to make Nevada a family oriented vacation and convention destination.

Part of this coordinated promotion of the state must include a comprehensive marketing campaign, which would complement local and regional efforts.

The 1984 Los Angeles Olympics presents a tourism bonanza that Nevada cannot ignore. To take advantage of this opportunity, I propose $50,000 to fund a concerted effort to make Nevada the gateway to the Olympics. In fact, in the next few days, I anticipate making an announcement about a special role Nevada will play in the 1984 games.

Our efforts at economic diversification must emphasize our favorable investment climate, tax structure, stable labor force and Nevada's unique resources for solar and geothermal power. We must not neglect our existing resources and attractions that contribute to economic development such as mining, agriculture and the Judicial College.

The State can also assist by arranging financing to bring new industry to the state, and by the issuance of industrial development bonds.

Central to State Government's efforts to promote industry is the role of the private sector. I am proposing that the department be run by an economic development commission composed of people from the private sector who can bring their knowledge and expertise to the development and implementation of our tourism and economic development program.

This reorganized department will include a director responsible to the commission, and division for tourism, industrial development, publications and film promotion. Given our glamour, bright lights and scenic beauty, Nevada is an ideal location for a variety of motion picture productions.

To attract industry we need more skilled workers and business managers.

The job training partnership act of 1982 provides $8.5 million for job training in Nevada.

I have also committed funds to train Nevadans in providing financing assistance to the small businesses.

This comprehensive program will ensure renewed prosperity for our state—prosperity in which all Nevadans will share. It will create new jobs and move us toward the goal of full employment for all Nevadans. The key to making this work is a strong partnership between Goverment and the private sector.

To finance the program, I am proposing a modest three quarter of 1 percent increase in the room tax. This will not impose an additional burden on Nevada taxpayers.

For Our Children

Education remains the top priority for this administration. Our children are our most important resource and it is for them that we build a better tomorrow.

Historically, the public school system enjoyed strong state support. It is a tradition I intend to follow.

Elementary and Secondary Education

I recommend $299.5 million for elementary and secondary education in the first year of the biennium. That is a $17.1 million increase over the current year. This additional funding projects existing educational program.

I am also recommending $1.1 million for 55 new special education units and additional funds for Vocational Programs.

Universities

The University system must be a full partner in our economic development plans. A university, strong in science and technology, is essential to attract the sophisticated industrial enterprises of tomorrow. I am recommending $95.5 million for the first year of the biennium for Nevada's university system. This proposal represents a $3.5 million increase over the current funding level and is structured to provide greater flexibility to the university system in making use of these funds.

Included in my budget recommendation is $1.3 million to upgrade computer facilities.

I also recommend continued funding for the Medical School.

For Our Seniors

A society is judged by the concern it shows for its older citizens. Our seniors are entitled to dignity, personal safety and financial security. How we treat our Seniors today is our own course for the future. To provide for their future and ours, I propose $4.4 million in this biennium to continue and expand the highly successful senior citizen tax assistance program. This, coupled with my proposed residential assistance program, will provide much needed help for our seniors.

I urge the establishment of a Nevada Commission on Aging charged with setting priorities for senior citizen programs throughout the State and preventing costly duplication

of services. This commission would be comprised of seniors and representatives of state and local government.

The Elder Abuse Law passed in 1981 was an excellent first step in addressing this rarely discussed problem in our society. We must further clarify this law to protect this vulnerable segment of our community.

I also recommend the enactment of Legislation to ensure that trials, where the elderly are victims, be given priority in court scheduling. The double penalty law passed last Session must be expanded to include property crimes against the elderly.

I support passage of the Omnibus Health Care Bill, requested by Seniors themselves, this bill would require licensing of family care homes, regulation of Senior Day Care Centers and strengthening of the position of Nursing Home Ombudsmen.

The last Governor's Conference on Aging was in 1978. It was an excellent forum for discussions. I was impressed with its results and will convene another Governor's Conference in May.

FOR ALL OUR CITIZENS

Nevada's hospital costs are the highest in the nation—41 per cent higher than the National average. These costs affect every citizen. Even those fortunate enough to avoid a hospital stay pay part of the horrendous cost.

Your federal tax dollars go to medicare. Your state tax dollars go to Medicaid. Additional millions go to health insurance premiums.

Containment of these costs is a mandate which I have given to the new Director of Human Resources. We must develop more cost effective health care practices. Hospital stays must be shortened as much as possible. Day surgery should be performed where appropriate.

No hospital patient should be billed for service not performed. Current billing practices make it extremely difficult to know what services were actually received. I will submit legislation to require understandable hospital billing.

CRIME

Every citizen has the right to be secure in his or her home and to walk the streets of our communities without fear. The responsibility of government is to guarantee those rights.

Crime is a National problem, but its solution is not. Its solution is dependent upon strong state laws, efficient enforcement and a speedy and predictable court system. Nevada lawmakers have gotten tough on crime, but we can get tougher. We must do more to protect our citizens.

It is estimated that 80 per cent of our crime is committed by 20 per cent of the criminals. The habitual criminal must be permanently removed from society. I, therefore, recommend a mandatory life term for anyone convicted of a fourth felony offense.

I believe the public's faith in the criminal justice system is shaken each time a criminal escapes punishment on a technicality. We can maintain constitutional protections and still have effective law enforcement. The exclusion of evidence necessary to obtain a conviction because of a minor error by the arresting officer is an example of such a technicality. I, therefore, propose that this exclusionary rule be modified by statute so that evidence obtained by a police officer—acting in good faith, and reasonably under the circumstances—can be used in court for criminal prosecution. This position is supported by the National Association of Attorneys General and The National District Attorneys Association.

The public's confidence in the justice system has been further eroded by highly publicized cases of hardened criminals being released from jail early.

Nevada's citizens have a right to expect that inmates convicted of violent crimes such as murder, kidnapping and sexual assault, will serve the minimum sentences imposed before being eligible for parole.

I now recommend that the law specify that good time credits not apply to these minimum sentences.

Our present sentencing and parole practices have been the subject of much controversy. Good time credits, by which a prisoner can shorten his term, should be earned, not automatically awarded. The good time system is presently confusing. It, too, should be the subject of an interim study.

Confidence in our criminal justice system can only be achieved if the public has

accesss to all critical proceedings. I propose that be open to the public and that victims of crime and prosecutors be allowed to make statements at those proceedings.

PRISONS

Nevada's prison population will grow 21 percent in the next two years. The budget which I am submitting contains no new fund for capital funds for new prison construction.

The additional housing requirement will be made up through the use of alternatives to traditional prison facilities.

Although the operating budget request is higher, the cost per inmate will be reduced. The cost will drop from $10,500 per prisoner in 1982 to $9,557 in 1984—and $9,454 the following year.

Prison costs will be reduced by expanded use of honor camps. Prisoners will work on firefighting, forestry and highway clean-up crews. They will also build their own honor camp facilities.

I also propose that the State charge parolees and probationers fees to cover the salary costs of their supervisors.

PUBLIC UTILITIES

In 1981, the Legislature created the Office of Consumer Advocate. The voters, in November, affirmed your judgment. I consider your legislative effort a notable success. For the first time, the consumer is represented at every rate hearing.

One of the problems identified by the Consumer Advocate is inadequate in utility planning for new demand and new sources of energy. I recommend passage of a bill to require all major electric and gas utilities in the State to develop utility resource plans. The utility customer pays the cost of unnecessary capital construction in the form of higher utility rates. This requirement will prevent the building of unneeded facilities.

Rising utility rates pose a heavy burden, especially on low income families. This year the state will distribute $3.5 million in Federal funds to assist low-income families to pay their utility bills. Traditionally, 60 percent of those funds go to our Senior Citizens.

ENVIRONMENT

This administration is committed to the protection of our environment. In fact, our long-term economic health depends upon sound environmental practices. We cannot promote tourism if we have foul air. We cannot revive our building trades unless we have clean water and adequate sewage treatment to provide for growth. We cannot have successful agriculture if we do not protect our lands.

We have had some environmental victories. The lame duck session of Congress passed a high level nuclear waste siting law that is very responsive to state concerns. It will require a two house resolution of Congress to override a state veto of a high level nuclear waste site. Our Congressional Delegation in December played a major role in insuring the passage of that bill. Other bills that were proposed would have denied the states virtually any say in determining the sites for high level nuclear storage.

We can also report progress in the storage of low level nuclear waste. You will have Legislation before you to enact a Rocky Mountain Compact. It will provide for storage sites on a rotational basis in the compact states. As we phase out Beatty, a new site will be developed in Colorado. This regional approach recognizes that waste storage is not a local problem. No longer will Nevada be the low level nuclear dump for the entire West.

We can also report good news on Lake Tahoe.

Lake Tahoe is a state and national treasure. It is one of the cornerstones of our great tourism industry. Preservation of Lake Tahoe and its world-renowned water quality, and protection of its magnificent scenic vistas, is vital to the economic health of our State. Moreover, such action is our proper role on behalf of those who will follow.

Nevadans should lead the way in development of a strong and meaningful plan to preserve Lake Tahoe.

That plan and a continued land acquisition program through the Santini-Burton Act will protect the lake and treat Nevada landowners fairly and equitable.

GAMING

Gaming control is a public trust. It must be administered without fear or favor, with decisions influenced by the facts, the law and the welfare of Nevada.

Gaming laws and regulations must be strictly enforced to assure that gaming is honest and those who conduct it are free of criminal influence.

However, while gaming control must be as comprehensive as necessary, it need not intrude into every facet of casino operations. Licensees must be free within the confines of Nevada's gaming laws and policies to exercise their business judgment and individuality.

In determining those confines, there must be room for debate, and the proper forum for that debate is the gaming policy committee. I intend to reactivate that committee.

STATE HOLIDAY

Last week, Martin Luther King, Jr.'s memory was honored at services throughout the Nation. Dr. King's faith in the American system and belief in nonviolence as a means for bringing about change continue to serve as inspirations for us all. It is only fitting and proper that we recognize his legacy. I am proposing that Nevada join the other states which have made his birthday a holiday.

ETHICS

The bulwark of a Democratic society is more than just the services it provides. It is the integrity and trust which it engenders.

In recent years there has been a growing trend to distrust government and its policy makers. Public confidence must be restored.

1. I propose that members of the State Gaming Control Board, Nevada Gaming Commission and State Public Service Commission be prohibited for one year following termination of state service from accepting employment with any gaming establishment or utility.

2. I also intend to reactivate the Executive Ethics Commission. In my budget proposal I'm including $10,000 for this commission which is charged with adopting regulations and standards of ethics to guide the conduct of public officers and employees in the executive branch. I hope you will see fit to do the same for the Legislative Ethics Commission.

3. Financial disclosure by state department heads is necessary.

I will be issuing an executive order requiring all of my appointees to file a disclosure statement by April 1.

4. I am also asking you to strengthen Nevada's campaign expenditure and reporting laws.

Disclosure serves as a means of ensuring the public's right to know where a candidate receives his contributions, current state laws fall short of the mark, and I urge a comprehensive revision.

This revision should require candidates to disclose all campaign contributions in excess of $500 whenever they are received.

It should also require candidates to file disclosure statements prior to primary elections, and it should require political action committees to make full disclosure as well.

Before concluding, permit me to make a personal observation.

More than a quarter of a century has lapsed since you have been addressed by a governor with prior legislative experience....Governor Charles Russell.

I have sat where you now sit. In the Chambers tonight are many of my former colleagues from the Assembly and Senate. Through the years we have worked together to solve Nevada's problems.

I know the difficulties you face and understand the enormous pressures upon you. Tonight I ask for your help in assisting me in my new role.

Together we can solve the current budget and tax problems. Together we can build a stronger Nevada.

You have my commitment to work in a spirit of cooperation. I now seek yours.

This is a great state. Together we can make it even greater.

Senator Glover moved that the Senate and Assembly in Joint Session extend a vote of thanks to the Governor for his timely, able and constructive message.

Seconded by Assemblyman Sedway.

Motion carried unanimously.

The Committee on Escort escorted the Governor to the bar of the Assembly.

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

Senator Mello moved that the Joint Session be dissolved.

Seconded by Assemblyman Kerns.

Motion carried unanimously.

Joint Session dissolved at 7:43 p.m.

ASSEMBLY IN SESSION

At 7:48 p.m.

Mr. Speaker presiding.

Quorum present.

REMARKS FROM THE FLOOR

Assemblyman Thompson requested that his remarks be entered in the Journal:

As some of you will recall, the legislature appropriated $167,710 in 1981 (Senate Bill 296) for a study by the Desert Research Institute (DRI) of water quality problems in Lake Lahontan. A joint meeting of the Senate Committee on Human Resources and Facilities and the Assembly Committee on Natural Resources, Environment and Agriculture will be held on Monday, January 24, 1983, to hear the findings of the DRI study. Dr. Clifford Murino, president of DRI, Dr. Richard French and other participating scientists will be here to make this report.

The joint meeting will be conducted in room 131 of the legislative building and will start at 4 p.m. on the 24th.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 1; Senate Concurrent Resolution No. 1; Assembly Resolutions Nos. 1, 2, 3.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pam Andreasen and Mr. Eric A. Stovall.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Lt. Col. Dennis R. Barton and Captain Robert Chesto.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Diane Shaw.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, January 20, at 11 a.m.

Motion carried.

Assembly adjourned at 7:49 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FOURTH DAY

CARSON CITY (Thursday), January 20, 1983

Assembly called to order at 11 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblyman Kovacs, who was excused.
Prayer by the Chaplain, Father Gil Canuel.
Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

Assemblyman Jeffrey requested that the prayer be entered in the Journal.

A reading from the book of the Prophet Jeremiah. The word of the Lord came to me thus:

Before I formed you in the womb I knew you, before you were born I dedicated you, a prophet to the nations I appointed you. "Ah, Lord God!" I said, "I know not how to speak; I am too young." But the Lord answered me, Say not, "I am too young." To whomever I send you, you shall go; whatever I command you, you shall speak. Have no fear before them, because I am with you.

So Lord, we ask for your protection and inspiration in our work today. Help us to be aware that the decisions we make affect not only our lives, but all those we represent. Help us to keep our focus on the care, love and protection of the people we serve.

You have promised to place your words on our hearts. We ask for that continued grace and strength, Lord, and pray your benediction upon each of us here, that thy will be done.

AMEN.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Health and Welfare:

Assembly Joint Resolution No. 1—Urging Congress to enact legislation permitting recipients of supplemental security income who are mentally retarded to accumulate savings without inclusion of the amounts in the computation of income and resources for the purpose of determining eligibility.

Assemblyman Chaney moved that the resolution be referred to the Committee on Health and Welfare.
Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 32—An Act making an appropriation from the state highway fund to the state general fund for the repayment of the

current value of advances made for capital improvements and equipment to maintain roads; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 33—An Act relating to community training centers for retarded persons; providing for the allocation of money to such centers for facilities and equipment; providing for the recovery of amounts allocated; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 34—An Act relating to zoning; limiting local control over location of housing for mentally retarded persons; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 35—An Act relating to the Nevada equal rights commission; extending the responsibilities of the commission to include protection against discriminatory practices in housing, employment and public accommodations for mentally retarded persons; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 36—An Act relating to mentally retarded persons; providing specifically for contributions to the cost of care, support and maintenance of mentally retarded adults in state facilities; prohibiting recovery by the mental hygiene and mental retardation division from the estate of such a person for care provided at a time when the estate was insufficient to contribute; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 37—An Act relating to guardianships for certain mentally retarded and mentally ill persons; establishing the office of public guardian in the department of human resources; prescribing its powers and duties; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee n Health and Welfare:

Assembly Bill No. 38—An Act relating to mentally retarded persons; adding severely retarded persons to the program for assistance to parents or relatives caring for profoundly retarded persons in the home; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblyman Berkley:

Assembly Bill No. 39—An Act relating to notaries public; setting requirements for certain advertisements in a language other than English; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Stone, Joerg and Thomas:

Assembly Bill No. 40—An Act relating to juveniles; claryifying and amending the Juvenile Court Act; and providing other matters properly relating thereto.

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

Motion carried.

Assemblyman Jeffrey moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering vetoed Assembly Bills Nos. 400, 475, 533, 541, 593, 619, 656, 665 and 682 of the Sixty-first Session, with Mr. Speaker pro Tempore as Chairman of the Committee of the Whole.

Motion carried.

IN COMMITTEE OF THE WHOLE

Mr. Speaker pro Tempore presiding.

Vetoed Assembly Bills Nos. 400, 475, 533, 541, 593, 619, 656, 665 and 682 of the Sixty-first Session considered.

The Committee of the Whole was addressed by Assemblyman Vergiels and Ms. Judy Matteucci.

On motion of Assemblyman Vergiels, the committee did rise and report back to the Assembly.

ASSEMBLY IN SESSION

At 11:27 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee of the Whole has considered vetoed Assembly Bills Nos. 400, 475, 533, 541, 593, 619, 656, 665 and 682 of the Sixty-first Session.

JIM SCHOFIELD, *Chairman*

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

Assembly in recess at 11:28 a.m.

ASSEMBLY IN SESSION

At 12:15 p.m.
Mr. Speaker presiding.
Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 20, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 3.

Mae Lofthouse
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 41—An Act relating to mobile homes; changing the requirements for the conversion of mobile homes to real property; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 42—An Act relating to mobile home parks; requiring added approvals of sanitation before construction; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 43—An Act relating to manufactured homes and mobile homes and similar vehicles; providing for the regulation of the construction, sale and installation of manufactured homes and the construction of recreational vehicles; providing for certificates of ownership and trip permits for manufactured homes; substantially revising certain provisions of law governing the regulation of mobile homes, travel trailers and commercial coaches; providing additional grounds for disciplinary action; providing penalties; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

REMARKS FROM THE FLOOR

Assemblyman Sedway requested that his remarks be entered in the Journal:

Mr. Speaker, I received in the mail today a copy of the Harvard University Gazette, which announces that a resident of Carson City, who will graduate from Harvard this Spring, a young lady named Brenda L. Buttner, has been awarded a Rhodes Scholarship. She was one of those chosen out of 1,183 applicants, which indicates a level of performance and achievement which I think should be recognized by this body, and, therefore, I ask that my remarks be placed in the record and a copy of these be sent to Miss Buttner and her parents.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 4; Assembly Resolution No. 4.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Coffin, the privilege of the floor of the Assembly Chamber for this day was extended to District Judge Paul Goldman.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jim Redelsperger.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, January 21, at 11 a.m.

Motion carried.

Assembly adjourned at 12:27 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTH DAY

CARSON CITY (Friday), January 21, 1983

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Kovacs and Sader, who were excused.

Prayer by the Chaplain, Father Gerald T. Hanley.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 11, 13, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 21, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 3.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 3.

Assemblyman May moved the adoption of the resolution.

Remarks by Assemblyman May.

Assemblyman May requested that his remarks be entered in the Journal:

Mr. Speaker and Members of the House, I had the great honor of having known the great and late Harvey Dickerson. I didn't know him very well, but I knew his reputation and I was, perhaps, more aware of his imagery and his love for the state.

There are several stories told about Mr. Dickerson, I think a couple of which bear repeating this morning. One was, and I am quite sure in my own heart and mind it was true, an occasion when newspapers only sold for a nickle. Mr. Dickerson always stopped on the way home to buy the newspaper from a certain young fellow selling those newspapers at a certain intersection in Las Vegas. One day when he got home, got inside his garage, had gone in the house and taken his paper with him, he realized he had obtained two newspapers for the price of one. Harvey Dickerson did not wait until the next day to give the newsboy another nickle or to tell him he had made a mistake. He got up from his easy chair, put his

shoes back on, got back in his car and drove immediately back to that same intersection and returned the extra newspaper to that young man. He did not want that young man to come up five cents short that night.

Another story about Mr. Dickerson as a legend, and it certainly is true-concerns his attitude toward the people of the State of Nevada. In his positions of elective offices, numerous as they were, a careful look will show that Mr. Dickerson always supported the little people of the state. On many occasions he interjected himself as a buffer between the Legislature and the citizens of Nevada. A lot of those decisions still stand today. A lot of them were questioned at the time, particularly in the early days of the Legislature. Confrontations almost erupted over some of those. Nevertheless, the people of Nevada are much better off for having had Mr. Dickerson serve them. The state is a much better place in which to live because of Mr. Dickerson's actions.

I shall miss him, we shall all miss him, and, most of all, the State of Nevada will miss him.

Resolution adopted unanimously.

Assemblyman Stewart moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:11 a.m.

ASSEMBLY IN SESSION

At 11:16 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 44—An Act relating to criminal actions; imposing and apportioning costs and providing for relief therefrom; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 45—An Act relating to bail; increasing the amount of the undertaking or money deposited instead of bail bond that may be forfeited without notice to sureties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 46—An Act relating to the justices' courts; providing for a per diem allowance and traveling expenses for justices of the peace who fill temporary vacancies outside their counties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 47—An Act relating to statutes; making technical corrections to certain inappropriate or inaccurate statutory terms; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Getto, Bogaert, May, Thompson and Dini:

Assembly Bill No. 48—An Act relating to hunting; authorizing the board of wildlife commissioners to establish designated hunting areas under certain circumstances; prohibiting certain acts in those areas; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly in recess at 11:18 a.m.

ASSEMBLY IN SESSION

At 11:27 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 49—An Act relating to traffic laws; eliminating a conflict between NRS 483.383 and 484.385 concerning the duration of the penalty imposed against an arrested driver for his refusal to submit to required chemical tests; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 50—An Act relating to traffic; allowing courts to order a person convicted of violating a traffic law to attend a drivers' training school; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 51—An Act relating to airports; removing a conflict within NRS 494.046 concerning the apportionment of money

in a county airport fund to cities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 52—An Act relating to motor vehicles; increasing the penalty for operation without security against tort liability or for lack of evidence of security; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 53—An Act relating to drivers' licenses; providing for an examination for an original license administered in the language of an applicant who cannot speak or read English; limiting the duration of that license; requiring reexamination in English for renewal of the license; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the following person be accepted as an accredited press representative and that he be assigned space at the press table and be allowed the use of appropriate broadcasting facilities:

Rex Gunderson, KUNR, RENO.

Motion carried.

By Assemblymen Schofield, Price, Getto and Stewart:

Assembly Concurrent Resolution No. 3—Urging the board of county commissioners of Clark County to place its ordinance which imposes a tax for public mass transportation before the voters of Clark County.

Assemblyman Schofield moved that the resolution be referred to the Committee on Transportation.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Schofield, Price, Getto and Stewart:

Assembly Bill No. 54—An Act relating to regional transportation commissions; repealing superfluous section regarding the commissions' authority; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Schofield, Price, Getto and Stewart:

Assembly Bill No. 55—An Act relating to motor vehicles; creating

immunity from liability for certain persons in connection with certain transportation; prohibiting cities and counties from licensing and taxing the provision of transportation under certain circumstances; authorizing the use of public vehicles in the transportation of persons to their places of employment; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Schofield, Price, Getto and Stewart:

Assembly Bill No. 56—An Act relating to school buses; authorizing boards of trustees to permit the use of school buses for general transportation; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Schofield, Price, Getto and Stewart:

Assembly Bill No. 57—An Act relating to taxicabs; authorizing the use of money in the taxicab authority fund to subsidize transportation for the elderly under certain circumstances; authorizing expenditures therefor by the taxicab authority for the fiscal years beginning July 1, 1983, and July 1, 1984; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 3.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Lawrence G. Brian and Mrs. Aileen W. Brian.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Joseph Thompson.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Jeff Bauer, Brad Ill, Ms. Laura Wells and students from Alta Sierra Prepartory School, Stateline, Nevada: Clinton Ansaldo, Erik Bakke, Michael Beane, Pete Brownson, Chris Bullock, Scott Byerly, Tim Clark, Bill Collins, Alfred Corn, Steve Crane, Todd Dangel, Anthony Evans, John Forrest, Vanessa Grover, Rick Holland, Jim Johnson, Pete Kalm, Deanna King, Kim Kuni, Brent Long, Jeff Marvin, Tami Morning, Bill Morning, Shawn Reynolds, Stacey Reynolds, Tim Smith,

Eric Smulovitz, O. D. Vincent, Mike Watne, Ann Tolbert and Eddie Everett.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, January 24, at 11 a.m.

Motion carried.

Assembly adjourned at 11:38 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTH DAY

CARSON CITY (Monday), January 24, 1983

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Bergevin and Kovacs, who were excused.

Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 7, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 8, 9, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 21, 1983

To the Honorable the Assembly:

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

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 4.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Jeffrey.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Berkley:

Assembly Bill No. 58—An Act relating to certain businesses; reducing the reporting required of pawnbrokers and junk dealers; and providing other matters properly relating thereto.

Assemblyman Berkley moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Berkley:

Assembly Bill No. 59—An Act relating to motor vehicles; requiring manufacturers, their agents or their authorized dealers under specified circumstances to make repairs necessary to conform certain motor vehicles to the express warranties covering them; providing remedies for repeated failures to repair or correct the nonconformities; and providing other matters properly relating thereto.

Assemblyman Berkley moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Berkley:

Assembly Bill No. 60—An Act relating to domestic relations; entitling the prevailing party in certain actions to an award of attorney's fees under certain circumstances; authorizing the division in an action for divorce of the value of a professional degree, license and practice deemed to be community property; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 11.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 13.

Bill read second time, ordered engrossed and to third reading.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Assembly in recess at 11:11 a.m.

ASSEMBLY IN SESSION

At 11:15 a.m.

Mr. Speaker presiding.

Quorum present.

SPECIAL ORDERS OF THE DAY

The hour of 11:15 a.m. having arrived, vetoed Assembly Bills Nos. 400, 475, 533, 541, 593, 619, 656, 665 and 682 of the Sixty-first Session were considered.

VETO MESSAGES OF THE GOVERNOR

Vetoed Assembly Bill No. 400 of the Sixty-first Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, 89710

To the Secretary of State, State of Nevada:

I am hereby forwarding to your office for filing within the constitutional time limit, and without my approval, Assembly Bill 400, entitled:

"An Act relating to employees of local government; requiring hearings by hearings officers or arbitrators of the local government employee management relations board; repealing provisions relating to the advisory committee; and providing other matters properly relating thereto."

Assembly Bill 400 would require the Local Government Employee Management Relations Board to assign to a hearings officer all complaints regarding possible violations of public sector labor law at the local government level.

Currently, the Board has no full-time hearings officer, nor the funds budgeted to employ one.

In addition, the bill is unclear over the selection of a hearings officer, or impartial arbitrator. All parties to a complaint are given right of approval of the hearings officer or arbitrator, but no provisions are made in the bill if the parties fail to agree. An impasse in the selection process would mean that the complaint could be heard by no one.

The bill also requires that parties to a dispute split the costs of the hearing, plus the salary and expenses of the hearings officer. This cost would discourage individuals, or small employee associations, from bringing complaints to arbitration.

Finally, I do not feel the current caseload of the Board warrants the added expense to the taxpayers of a full-time hearings officer.

I do not feel Assembly Bill 400 would be in the best interest or welfare of the citizens of Nevada. Therefore, I am exercising my constitutional right of veto over Assembly Bill No. 400.

Date: June 16, 1981
Time: 12:40 a.m.

ROBERT LIST
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblyman Dini.

The roll was called, and the Assembly sustained the veto of the Governor by the following vote:

YEAS—None.

NAYS—Banner, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Malone, Marvel, May, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Zimmer, Mr. Speaker—40.

Absent—Bergevin, Kovacs—2.

Vetoed Assembly Bill No. 475 of the Sixty-first Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, 89710

To the Secretary of State, State of Nevada:

I am herewith forwarding to your office for filing within the constitutional time limit, and without my approval, Assembly Bill 475, entitled:

> "An Act relating to optometry; changing the fees for licensing and the administrative fines which are chargeable by the Nevada State Board of Optometry; permitting optometrists to practice under assumed names; and providing other matters properly relating thereto."

Assembly Bill 475 would establish a schedule of fees, fines and penalties to be charged by the Nevada State Board of Optometry.

The bill also would repeal NRS 636.350, which prohibits optometrists from practicing under an assumed name, and NRS 636.205, which allows duly licensed optometrists from other states to establish practices in Nevada without undergoing an additional license examination.

The fee and fine schedules established by this bill are not, in themselves, objectionable.

However, the repeal of NRS 636.350 and 636.205 would place an unnecessary burden on the consumers of the state, and is, therefore, unacceptable.

As currently written, NRS 636.350 prohibits optometrists from practicing under a trade name.

Optometrical practice under an assumed, or trade name can mislead the public for the following reasons:

> The trade name of an optometrical practice can remain unchanged despite changes in the staff of optometrists upon whose skill and care the public depends when it patronizes the practice. Thus, the public may be attracted by a trade name that reflects the reputation of an optometrist no longer associated with the practice;
>
> A trade name frees an optometrist from dependence on his personal reputation to attract clients and even allows him to assume a new trade name if negligence or misconduct casts a shadow over the old one; and,
>
> By using different trade names at shops under his common ownership, an optometrist can give the public the false impression of competition among the shops.

In order to safeguard the interests of the public, I believe the prohibition on practicing under an assumed name should remain in force.

Such a prohibition ensures that information regarding optometrical services will be communicated more fully and accurately to consumers.

I also believe that the repeal of NRS 363.205 would not serve the public interests or welfare.

Under current law, optometrists who have successfully passed licensing examinations in other states, and with the unanimous consent of the Nevada State Board of Optometry, can practice in Nevada without having to undergo an additional licensing examination.

This practice enables optometrists from other states to more easily move to Nevada to establish a practice. This creates a greater overall level of service to the people of the state, and encourages free marketplace competition, which benefits the consumer.

To repeal NRS 636.205 would place an unnecessary burden on optometrists wishing to practice in Nevada.

For these reasons, I am exercising my right of veto over Assembly Bill 475.

Date: June 15, 1981
Time: 9:51 p.m.

ROBERT LIST
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblyman Sedway.

The roll was called, and the Assembly sustained the veto of the Governor by the following vote:

YEAS—None.

NAYS—Banner, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Malone, Marvel, May, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Zimmer, Mr. Speaker—40.

Absent—Bergevin, Kovacs—2.

Vetoed Assembly Bill No. 533 of the Sixty-first Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, 89710

To the Secretary of State, State of Nevada:

I am herewith forwarding to your office for filing within the constitutional time limit, and without my approval, Assembly Bill 533, entitled:

> "An Act relating to bail; specifically the circumstances under which it may be denied on a charge of capital offense; and providing other matters properly relating thereto."

Under Assembly Bill 533, it would be possible, as a matter of statutory law, to deny bail only to people who commit a capital offense. Simply put, fewer violent people could be held without bail.

The Nevada Constitution, Article 1, Section 7, which was amended in 1980, provides that not only may persons who commit capital offenses be denied bail, but also persons who commit murders which are punishable by life imprisonment without the possibility of parole where the proof is evident and the presumption great.

In other words, the Constitution permits more violent people to be denied bail than does Assembly Bill 533.

If the bill becomes law, the full thrust and impact of Article 1, Section 7, of the Nevada Constitution would not be put into effect.

For the above reasons, the bill does not adequately reflect the wishes of the people of the State of Nevada insofar as violent offenders, specifically murderers, are concerned.

Date: June 15, 1981
Time: 9:50 p.m.

ROBERT LIST
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblyman Stewart.

The roll was called, and the Assembly sustained the veto of the Governor by the following vote:

YEAS—None.

NAYS—Banner, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Malone, Marvel, May, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Zimmer, Mr. Speaker—40.

Absent—Bergevin, Kovacs—2.

Vetoed Assembly Bill No. 541 of the Sixty-first Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, 89710

To the Secretary of State, State of Nevada:

I am herewith forwarding to your office for filing within the constitutional time limit, and without my approval, Assembly Bill 541, entitled:

"An Act relating to county officers; requiring the governor to fill vacancies among certain county commissioners with persons from the same political party as the most recent holder of the office; and providing other matters properly relating thereto."

Assembly Bill 541 would require the governor, when filling a vacancy on a county commission, to base his appointment on an individual's political affiliation, rather than his personal qualifications.

Traditionally, Nevadans have set partisan differences aside when choosing county commission members. Commissioners are elected based primarily on their ability to address local issues, rather than their membership to one national political party or the other.

The bill would establish an arbitrary and discriminatory political standard for appointing replacements to county commissions. It would deny the governor the needed flexibility to appoint the most qualified and effective individual who would best serve the public interests.

For the above-mentioned reasons, I do not feel this bill serves the public interests or welfare. Therefore I am exercising my veto over Assembly Bill 541.

Date: June 7, 1981
Time: 1:08 p.m.

ROBERT LIST
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblyman Dini.

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

YEAS—40.
NAYS—None.
Absent—Bergevin, Kovacs—2.

Vetoed Assembly Bill No. 593 of the Sixty-first Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, 89710

To The Secretary of State, State of Nevada:

I am herewith forwarding to your office for filing within the constitutional time limit, and without my approval, Assembly Bill 593, entitled:

"An Act relating to contractors, prohibiting a local government from requiring an owner or lessee to hire a contractor to do certain work; and providing other matters properly relating thereto."

Although Assembly Bill 593 is well-intended, it is in conflict with the provisions of NRS 624.330(4), and it will not accomplish its purpose.

With certain limitations and exceptions, the bill provides that local governments shall not require an owner or lessee to employ a contractor to work on small residential or even commercial projects on property occupied by the owner or a lessee.

NRS 624.330(4), however, only exempts work done by owners building or improving residential structures for their occupancy, and not intended for sale. To accomplish its purpose, the bill should have amended this section by providing an additional exemption for commercial property. Instead, it merely places limits on local governments and does not in any way change the licensing requirements imposed by state law.

If enacted into law, a local building authority could not withhold a building permit from such an owner or lessee, even though it might be a violation of state law for the owner or lessee to perform the work authorized by the permit.

Approval of Assembly Bill 593 would only serve to confuse and mislead both the public and those engaged in the construction industry. Therefore, I am exercising my veto over Assembly Bill 593.

Date: June 7, 1981
Time: 1:09 p.m.

ROBERT LIST
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblyman Jeffrey.

The roll was called, and the Assembly sustained the veto of the Governor by the following vote:

YEAS—4.

NAYS—Banner, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Marvel, May, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Thompson, Zimmer, Mr. Speaker - 36.

Absent—Bergevin, Kovacs—2.

Vetoed Assembly Bill No. 619 of the Sixty-first Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, 89710

To The Secretary of State, State of Nevada:

I am hereby forwarding to your office for filing within the constitutional time limit, and without my approval, Assembly Bill 619, entitled:

> "An Act relating to state lands, requiring legislative approval of leases which extend beyond one year, and providing other matters properly relating thereto."

Assembly Bill 619 would require the Legislature, when in regular or special session, or the Interim Finance Committee, when the Legislature is not in regular or special session, to approve any lease of state land whose term extends, or is renewable, beyond one year.

The bill would add unnecessary and cumbersome steps to the leasing procedures already in place under Chapter 322, Nevada Revised Statutes. It would deny the state the needed flexibility to act in a timely fashion to meet public needs, as they arise, for use of state property.

Under current law, leases of state property are negotiated between prospective lessees, state agencies with jurisdiction over the land involved, and the Division of State Lands.

Appraisals are made when it is necessary to determine fair market value or best terms available. These appraisals are used as a basis for negotiation between the parties involved. There are additional provisions in Chapter 322, NRS, for the lease of easements over state lands, now or hereafter owned by the State of Nevada.

The governor, who is accountable to all the citizens of our state, is required personally to approve or disapprove all leases, their terms, conditions and fee schedules.

This process enables the governor to utilize the expertise and knowledge of professional staff within the Division of State Lands.

This is an effective procedure with appropriate safeguards for the public, and no abuses have occurred.

This bill is not in the public interest and welfare, and I am, therefore, exercising my right of veto over Assembly Bill 619.

Date: June 4, 1981
Time: 9:30 p.m.
ROBERT LIST
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblyman Bremner.

The roll was called, and the Assembly refused to sustain the veto of the Governor by the following vote:

YEAS—40.
NAYS—None.
Absent—Bergevin, Kovacs—2.

Vetoed Assembly Bill No. 656 of the Sixty-first Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, 89710

To the Secretary of State, State of Nevada:

I am herewith forwarding to your office for filing within the constitutional time limit, and without my approval, Assembly Bill 656, entitled:

> "An Act relating to group health insurance; requiring certain employers and other organizations to offer an optional dental service plan which does not restrict the choice of a provider of dental services; and providing other matters property relating thereto."

Assembly Bill 656 has set a worthy goal, but unfortunately is mechanically flawed in that the authority for enforcing the proposed statute has been improperly placed.

Under current state law, the Insurance Commissioner is not authorized to regulate employee benefit plans, which is the subject of Assembly Bill 656. This legislation has improperly proposed that the Insurance Commissioner oversee the actions of employers in their selection of providers of dental services under group plans. The proper regulatory authority rests with the Labor Commissioner.

Approval of Assembly Bill 656 would be improper in that it could not be enforced under current statutes. I am, therefore, exercising my right of veto over Assembly Bill 656.

Date: June 16, 1981
Time: 12:01 a.m.

ROBERT LIST
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblyman Jeffrey.

The roll was called, and the Assembly sustained the veto of the Governor by the following vote:

YEAS—None.

NAYS—Banner, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Malone, Marvel, May, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Zimmer, Mr. Speaker—40.

Absent—Bergevin, Kovacs—2.

Vetoed Assembly Bill No. 665 of the Sixty-first Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, 89710

To the Secretary of State, State of Nevada:

I am hereby forwarding to your office, for filing within the constitutional time limit, and without my approval, Assembly Bill 665, entitled:

> "An Act relating to taxation; imposing the local school support tax and city-county relief tax on occasional sales of motor vehicles; providing a credit for the exchange of a used vehicle in a purchase of an automobile; and providing other matters properly relating thereto."

Assembly Bill 665 would create a new tax on the sale of used automobiles between private parties.

In effect, this bill would place an additional tax on those individuals who are involved in the more than 91,000 private used car transactions in Nevada each year. The impact of this added tax burden would fall heaviest on middle and lower income families who rely heavily on private transactions when purchasing an automobile.

While the sale by private individuals of used aircraft, boats, televisions, stereos, and other "luxury items" would remain exempt from the sales tax, this bill would impose a mandatory tax on the licensing and registration of automobiles—which often is an essential item to middle and lower-income families.

The bill also would create many costly administrative difficulties.

Enforcement of the new tax would require the Department of Motor Vehicles to add six additional employees, and the Department of Taxation to spend approximately $20,000 to reprogram its computer systems.

Finally, it would create a paperwork quagmire. Even the sale of a vehicle between family members would be subject to the tax.

While I wholeheartedly support providing tax credits for the trade-in of an old vehicle on the purchase of a new one, I cannot support this bill because of the added tax burden it creates. I view this measure as an unnecessary attempt to create a new tax that has never before been imposed on our citizens—one which would extract an additional $2 million in taxes per year from Nevadans.

For these reasons, I do not believe this bill serves the public interest and welfare. I am therefore exercising my right of Veto over Assembly Bill 665.

Date: June 16, 1981
Time: 12:04 a.m.
ROBERT LIST
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblymen May, Getto and Nicholas.

The roll was called, and the Assembly refused to sustain the veto of the governor by the following vote:

YEAS—39.
NAYS—Chaney.
Absent—Bergevin, Kovacs—2.

Vetoed Assembly Bill No. 682 of the Sixty-first Session.

Bill read.

Governor's message stating his objections read.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, 89710

To The Secretary of State, State of Nevada:

I am hereby forwarding to your office, for filing within the constitutional time limit, and without my approval, Assembly Bill 682, entitled:

> "An Act relating to mental hygiene and mental retardation; authorizing the governor to establish local advisory boards; changing the composition of the state mental hygiene and mental retardation advisory board; and providing other matters properly relating thereto."

Assembly Bill 682 would eliminate the current state advisory mental hygiene and mental retardation board and restructure it with a smaller body made up of members from local boards.

Under the current procedure, there exists a cohesive, community-based working group which meets together as an effective advisory tool for the state mental hygiene and mental retardation programs. This broadly-based unit brings with it a variety of perspectives so badly needed when operating programs as complex as the treatment of mental patients. The current procedure has proven time and again to be a benefit to the citizens of Nevada.

In addition, under the provisions of the legislation, the Governor has the discretionary power to appoint local boards from which members to the state board will be drawn. However, this leaves open the possibility that a governor may, at some point in the future, elect not to appoint local boards, causing there to be no eligible members for a state board.

Assembly Bill 682 also requires that three of the four members of the state board have no special interests in the fields of mental health or mental retardation, raising a question of how effective such an organization might be.

Following careful consideration, I have elected to exercise my right of veto over Assembly Bill 682.

Date: June 16, 1981
Time: 12:22 a.m.
ROBERT LIST
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblyman Nicholas.

The roll was called, and the Assembly refused to sustain the veto of the governor by the following vote:

YEAS—40.
NAYS—None
Absent—Bergevin, Kovacs—2.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Getto:

Assembly Bill No. 61—An Act relating to fines and forfeitures; crediting a prisoner with the average cost of confinement for each day he is imprisoned to pay a fine or forfeiture; requiring the department of parole and probation to determine the average cost to confine a person in a county jail; requiring the department of prisons to determine the average cost to confine a person in a state prison; and providing other matters properly relating thereto.

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

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. William E. "Bill" Dial.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Eric Cooper.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, January, 25, at 11:30 a.m.

Motion carried.

Assembly adjourned at 11:54 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINTH DAY

CARSON CITY (Tuesday), January 25, 1983

Assembly called to order at 11:32 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Bergevin and Kovacs, who were excused.

Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

Mr. Speaker announced that if there were no objections, the Assembly would recess subject to the call of the Chair to meet in Joint Recess of the Senate and Assembly for the purpose of hearing Messrs. Ted Saunders and Bob Bersi on the State of education in the State of Nevada.

Assembly in recess at 11:35 a.m.

ASSEMBLY IN SESSION

At 12:04 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Joint Resolutions Nos. 24 of the 61st Session, 30 of the 61st Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 15, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 25, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 5.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTONS AND NOTICES

Senate Concurrent Resolution No. 5.

Assemblyman Jeffrey moved that the resolution be placed on the Chief Clerk's desk.

Remarks by Assemblyman Jeffrey.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Jeffrey:

Assembly Bill No. 62—An Act relating to real estate brokers and salesmen; removing conflicting, redundant or obsolete provisions concerning brokers and salesmen; clarifying the requirements for experience; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Jeffrey:

Assembly Bill No. 63—An Act relating to real estate brokers and salesmen; removing obsolete and duplicative provisions regarding their qualifications; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Jeffrey:

Assembly Bill No. 64—An Act relating to owner-developers of real estate; providing the grounds for disciplinary action; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 7.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 8.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 5.

Amend section 2, page 3, line 22 by deleting "*this period*" and inserting "*this period,*".

Assemblyman Malone moved the adoption of the amendment.

Remarks by Assemblyman Malone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 9.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 3.

Amend section 1, page 1, line 2 by deleting the open bracket before "under NRS 41.031" and inserting an open bracket before "against".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 11.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Assembly Bill No. 11:

YEAS—40.

NAYS—None.

Absent—Bergevin, Kovacs—2.

Assembly Bill No. 11 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 13.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 13:

YEAS—40.

NAYS—None.

Absent—Bergevin, Kovacs—2.

Assembly Bill No. 13 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Schofield and May:

Assembly Bill No. 65—An Act relating to governmental finance; restoring statutory provisions which revise the criteria used in determining the taxable value of property, which change the year for which taxes are levied, which fix statutory limits on certain revenue of local governments and on the increases of certain fees, which remove statutory limits on expenditure by local governments, which increase the rate and revise the collection of certain taxes and which fix the rate of the property tax for the operation of public schools; and providing other matters properly relating thereto.

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

Motion carried.

Assemblyman Nicholas moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:21 p.m.

ASSEMBLY IN SESSION

At 12:30 p.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 66—An Act relating to the legislative counsel bureau; removing a limitation upon the authority of the legislative commission to prescribe the duration of leaves of absence for the personnel of the bureau; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly in recess at 12:30 p.m.

ASSEMBLY IN SESSION

At 12:31 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 67—An Act relating to local governments; correcting the definition of "mediation" in relation to local governments and their employees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 68—An Act relating to the public employees' retirement system; removing inappropriate references to the applicability of the State Budget Act; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 69—An Act relating to the Nevada Indian commission; eliminating a conflict between NRS 233A.050 and subsection 3 of NRS 233A.065 which requires the executive director, who is appointed by the governor, to act as secretary; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 70—An Act relating to the "MX" missile project; repealing and removing provisions of law concerning the project; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 71—An Act relating to boards of county commissioners; removing a conflict between NRS 244.014 and 244.016 concerning the number of terms of county commissioners in certain counties by correcting an obsolete classification by population; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 72—An Act relating to disposal of sewage; changing the amount of land required for the installation of individual system; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 73—An Act relating to public health; subordinating the local regulation of food and drink establishments to state regulation; repealing the authorization for the use of sawdust in certain food establishments; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 74—An Act relating to hotels; prohibiting the use of privies and cesspools; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 75—An Act relating to sanitation; providing for the regulation by the state board of health of parks for recreational vehicles and stations for the disposal of waste; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 76—An Act relating to the inspection of meat and poultry; providing for the delegation of inspection to local health authorities; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 77—An Act relating to public health; modernizing the Nevada Food, Drug and Cosmetic Act; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 78—An Act relating to vital statistics; authorizing the state board of health to charge a fee for voided certificates of birth, stillbirth and death; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 79—An Act relating to milk; allowing additional methods of testing for butterfat; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 80—An Act relating to medical laboratories; regulating laboratories operated by licensed nurses in rural communities; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblyman Getto:

Assembly Bill No. 81—An Act relating to nursing; requiring the district attorney to report to the board the name of any nurse who has

been convicted of the violation of a criminal statute; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Getto:

Assembly Bill No. 82—An Act relating to nursing; enlarging the functions of the "public" member and changing the title of the executive secretary of the state board of nursing; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblyman Getto:

Assembly Bill No. 83—An Act relating to nursing; increasing the penalty for violation of the provisions which govern the practice of nursing and schools of nursing; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Getto:

Assembly Bill No. 84—An Act relating to nursing; revising the provision on renewal of a license; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:41 p.m.

ASSEMBLY IN SESSION

At 12:43 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Getto:

Assembly Joint Resolution No. 2—Proposing to amend section 14 of article 5 of the constitution of the State of Nevada to permit the legislature to authorize courts inferior to the district courts to defer the imposition of sentences and to suspend sentences, but not to grant probation.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 14 of article 5 of the constitution of the State of Nevada be amended to read as follows:

Sec. 14. 1. The governor, justices of the supreme court, and attorney general, or a major part of them, of whom the governor shall be one, may, upon such conditions and with such limitations and restrictions as they may think proper, remit fines and forfeitures, commute punishments, except as provided in subsection 2, and grant pardons, after convictions, in all cases, except treason and impeachments, subject to such regulations as may be provided by law relative to the manner of applying for pardons.

2. Except as may be provided by law, a sentence of death or a sentence of life imprisonment without possibility of parole may not be commuted to a sentence which would allow parole.

3. The legislature [is authorized to] *may* pass laws conferring upon the district courts authority to suspend the execution of sentences, fix the conditions for, and to grant probation, and within the minimum and maximum periods authorized by law, fix the sentence to be served by the person convicted of crime in [said] *those* courts. *The legislature may pass laws conferring upon courts inferior to the district courts authority to defer the imposition of sentences and to suspend the execution of sentences, but not to grant probation. The legislature may limit the authority which it confers upon the courts pursuant to this subsection.*

Assemblyman Getto moved that the resolution 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 Senate Concurrent Resolution No. 3.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Stephanie Tyler.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kathleen A. Conabay, Alice M. Good and Gabriella Ziros.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jack McBride.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, January 26, at 11:45 a.m.

Motion carried.

Assembly adjourned at 12:46 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TENTH DAY

CARSON CITY (Wednesday), January 26, 1983

Assembly called to order at 11:47 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblyman Kovacs, who was excused.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.
Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 5, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 47, 49, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 26, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 67.

Mae Lofthouse
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker instructed the Chief Clerk to read the following communication:

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

January 24, 1983

HONORABLE JOHN M. VERGIELS, *Speaker, Nevada State Assembly, Legislative Building,* Carson City, Nevada 89710

HONORABLE ROBERT CASHELL, *President, Nevada State Senate, Legislative Building,* Carson City, Nevada 89710

Gentlemen:

I would like to address a joint session of the Assembly and the Senate on February 18, 1983.

It would be greatly appreciated if I could give my speech in the morning, as early as possible. I will need approximately twenty to thirty minutes total time for my presentation.

I look forward to seeing you on the 18th.

Thanking you in advance for your assistance in this matter.

Kindest regards.

Sincerely,

BARBARA VUCANOVICH
Member of Congress

Mr. Speaker announced that there will be a Joint Session of the Senate and Assembly, Friday, February 18, 1983, 11:30 a.m. for the purpose of hearing The Honorable Barbara Vucanovich, United States Representative for Nevada.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Vergiels:

Assembly Bill No. 85—An Act relating to podiatry; making various administrative changes; expanding the administrative penalties; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Nicholas, Dini, Bergevin, Bourne, Jeffrey, Thomas, Kerns, May, Schofield, Craddock, Bogaert and Getto:

Assembly Bill No. 86—An Act relating to the Tahoe regional planning agency; creating a legislative committee to oversee the agency; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Ham, Malone, Nevin and Brady:

Assembly Bill No. 87—An Act relating to crimes and punishments; defining violent criminals and prescribing their punishment; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 88—An Act relating to gaming; repealing statutory provisions which reduce the state license fee on the gross revenue of gaming and on slot machines; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 67.

Assemblyman Nicholas moved that all rules be suspended, reading so

far had considered first reading, rules further suspended, bill declared an emergency measure under the Constitution, and placed on third reading and final passage.

Remarks by Assemblymen Nicholas, Price and Craddock.

Motion carried unanimously.

SECOND READING AND AMENDMENT

Assembly Bill No. 15.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 6.

Amend Section 1, page 1, line 13 by deleting the open bracket before "The" and inserting an open bracket before ", or".

Amend Section 1, page 1, line 14 by inserting a closed bracket after "accomplice,".

Amend Section 1, page 1, line 18 by deleting the closed bracket.

Amend Section 1, page 1, line 20 by deleting "[6.] *5.*" and inserting "6.".

Amend Section 1, page 2, line 3 by deleting "[7.] *6.*" and inserting "7.".

Amend Section 1, page 2, line 14 by deleting "[8.] *7.*" and inserting "8.".

Amend Section 1, page 2, line 16 by deleting "[9.] *8.*" and inserting "9.".

Amend the title of the bill to read as follows:

"An Act relating to the crime of murder; removing the death penalty for a person who was merely an accomplice to a felony during which a murder was committed by another; and providing other matters properly relating thereto.".

Amend the summary of the bill by deleting "in course of" and inserting "by accomplice to".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 24 of the 61st Session.

Resolution read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 30 of the 61st Session.

Resolution read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 7.

Bill read third time.

Remarks by Assemblyman Berkley.

Roll call on Assembly Bill No. 7:

YEAS—41.

NAYS—None.

Absent—Kovacs.

Assembly Bill No. 7 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 67.

Bill read third time.

Remarks by Assemblymen Nicholas and Jeffrey.

Roll call on Senate Bill No. 67:

YEAS—41.

NAYS—None.

Absent—Kovacs.

Senate Bill No. 67 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Jeffrey:

Assembly Bill No. 89—An Act relating to contractors; increasing the penalties for acting without a license; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Jeffrey:

Assembly Bill No. 90—An Act relating to building permits; limiting persons who are not contractors to one building permit for a personal residence per year; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Jeffrey:

Assembly Bill No. 91—An Act relating to the state industrial insurance system; requiring the manager to set the premiums in building trades by the number of hours worked; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Swain, Collins, Chaney and Craddock:

Assembly Bill No. 92—An Act relating to discrimination in housing; allowing exemplary damages under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Swain, Collins, Chaney and Craddock:

Assembly Bill No. 93—An Act relating to the Nevada equal rights

commission; providing a procedure for the enforcement of subpenas; allowing examination of certain records; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Swain, Collins and Craddock:

Assembly Bill No. 94—An Act relating to discrimination; limiting a certain prohibition against filing a complaint with the Nevada equal rights commission; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Swain, Collins, Chaney and Craddock:

Assembly Bill No. 95—An Act relating to discrimination in employment; providing for interest on back pay awarded; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Swain, Collins, Chaney and Craddock:

Assembly Bill No. 96—An Act relating to discrimination in employment; clarifying the procedure for resorting to district court; removing certain powers of the labor commissioner; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Swain and Craddock:

Assembly Bill No. 97—An Act relating to discrimination in public accommodations; defining "equal enjoyment"; extending prohibited bases of discrimination to include sex; allowing exemplary damages under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Getto, Dini, May, Stone, Nevin, Malone, Bogaert, Jeffrey, Ham, Nicholas and Beyer:

Assembly Bill No. 98—An Act relating to campaign practices; extending the period for which reports of campaign contributions must be filed by candidates; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Elections.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Current Resolution No. 5 be taken from the Chief Clerk's desk.

Remarks by Assemblyman Jeffrey.

Motion carried.

Senate Concurrent Resolution No. 5.

Resolution read.

The following amendment was proposed by Assemblyman Jeffrey:

Amendment No. 9

Amend the resolution, page 1, line 14, by deleting "state employee" and inserting "representative of state employees".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Resolution ordered reprinted and engrossed.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Al Alleman.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, January 27, at 11:45 a.m.

Motion carried.

Assembly adjourned at 12:22 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ELEVENTH DAY

CARSON CITY (Thursday), January 27, 1983

Assembly called to order at 11:45 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblymen Kovacs and May, who were excused.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.
Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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

Assemblyman Stewart moved that Assembly Joint Resolution No. 24 of the 61st Session be taken from the General File and re-referred to the Committee on Judiciary.
Remarks by Assemblyman Stewart.
Motion carried.

Assemblyman Dini moved that Assembly Bill No. 5 be taken from the Second Reading File and re-referred to the Committee on Ways and Means.
Remarks by Assemblyman Dini.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 8.
Bill read third time.
Remarks by Assemblyman Malone.
Roll call on Assembly Bill No. 8:
YEAS—40.
NAYS—None.
Absent—Kovacs, May—2.

Assembly Bill No. 8 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 9.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Assembly Bill No. 9:
YEAS—40.
NAYS—None.
Absent—Kovacs, May—2.

Assembly Bill No. 9 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 30 of the 61st Session.

Resolution read third time.

Remarks by Assemblyman Ham.

Roll call on Assembly Bill No. 30 of the 61st Session:

YEAS—40.

NAYS—None.

Absent—Kovacs, May—2.

Assembly Joint Resolution No. 30 of the 61st Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 45, 46, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Concurrent Resolutions Nos. 1, 2, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 21, 25, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 26, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 31.

Also, I have the honor to inform your honorable body that the Senate on this day failed to sustain the Governor's veto of Senate Bill No. 651 of the 61st Session.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that vetoed Senate Bill No. 651 of the 61st Session be made a Special Order of Business for Monday, January 31, 1983 at 12:15 p.m.

Motion carried.

Assembly Concurrent Resolution No. 1.

Assemblyman Dini moved the adoption of the resolution.

Remarks by Assemblyman Dini.

Resolution adopted unanimously.

Assembly Concurrent Resolution No. 2.
Assemblyman Dini moved the adoption of the resolution.
Remarks by Assemblyman Dini.
Resolution adopted unanimously.

Senate Concurrent Resolution No. 5.
Assemblyman Jeffrey moved the adoption of the resolution.
Remarks by Assemblyman Jeffrey.
Resolution adopted unanimously, as amended.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Collins, Chaney, Price and Swain:

Assembly Bill No. 99—An Act relating to holidays; declaring Martin Luther King, Jr.'s birthday to be a legal holiday; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Stone, Swain, Bilyeu, Bourne and Thomas:

Assembly Bill No. 100—An Act relating to the adoption of minor children; permitting any person to recommend prospective adoptive parents or a parent or guardian desiring to place a child for adoption; redefining limitations on attorneys' participation in and receipt of compensation for services in adoption matters; requiring that a petition for termination of parental rights be filed with the petition for adoption in certain instances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 101—An Act relating to optometry; changing the fees for licensing which are chargeable by the Nevada state board of optometry; increasing the amount of the administrative fine that may be imposed by the board; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 102—An Act relating to public utilities; correcting the duplication and misplacement of certain provisions; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 103—An Act relating to financial institutions;

removing provisions which are premised upon limited rates of interest; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 104—An Act relating to corporations not for profit; eliminating a conflict with NRS 81.007 concerning the payment of filing fees; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Jeffrey:

Assembly Bill No. 105—An Act relating to contractors; specifying the date on which money retained during the construction or remodeling of a building becomes payable; requiring the payment of subcontractors and suppliers within 15 days after the contractor is paid; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Zimmer, Brady and Nicholas:

Assembly Bill No. 106—An Act relating to local government; abolishing the employee-management relations advisory committee; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Sedway:

Assembly Bill No. 107—An Act relating to pharmacists; providing that an application for registration as a pharmacist is only valid for 1 year; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Sedway:

Assembly Bill No. 108—An Act relating to pharmacy; removing the limitation on the number of times an applicant for a certificate as a registered pharmacist may take the examination; removing the requirement that examinations be conducted at meetings of the board; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen DuBois, Bilyeu, Sedway, Berkley, Malone, Humke, Francis, Fay, Redelsperger, Nevin, Stone, Bourne and Brady:

Assembly Bill No. 109—An Act relating to crimes and punishment;

providing punishment for participation in a criminal syndicate; providing punishment for crimes regarding computers; providing punishment for threats regarding credit which has been extended; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 31.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 47.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 49.

Bill read second time, ordered engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the following persons be accepted as press representatives, that they be assigned space at the press table and be allowed the use of appropriate broadcasting facilities:

Marc Picker, Mary Greeley, ELY DAILY TIMES, ELY.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Concurrent Resolution No. 4.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Rachel Gibson.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lina S. McCulloch.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kathryn W. Howell.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. George Hawes.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, January 31, at 11 a.m.

Motion carried.

Assembly adjourned at 12:23 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTEENTH DAY

CARSON CITY (Monday), January 31, 1983

Assembly called to order at 11 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Douglas C. Thunder.
Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

Assemblyman Jeffrey requested that Reverend Thunder's prayer be entered in the Journal:

We thank you, Lord, our God, for returning safely to these halls the members of this assembly at the beginning of a new week. Fill these your servants and the servants of your people with the insight, the courage, the enthusiasm, and the sense of humor they will need as they confront this day's business. Grant that the discussions undertaken and the decisions made this day may be for the betterment of all. You, Lord, know the needs and weaknesses of your servants. Provide what they are lacking; strengthen them in their weakness; and most of all, enable them to put to use their talents, abilities, and strengths for the benefit of us all. In the name of our Lord, Jesus Christ.

AMEN.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 14, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB COFFIN, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 21.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 25.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 45.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 46.
Bill read second time, ordered engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 32, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 15.
Bill read third time.
Remarks by Assemblyman Bilyeu.
Roll call on Assembly Bill No. 15:

YEAS—40.
NAYS—None.
Absent—Brady, Collins—2.

Assembly Bill No. 15 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 47.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Assembly Bill No. 47:

YEAS—41.
NAYS—None.
Absent—Collins.

Assembly Bill No. 47 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 49.
Bill read third time.
Remarks by Assemblyman Nevin.
Roll call on Assembly Bill No. 49:

YEAS—41.
NAYS—None.
Absent—Collins.

Assembly Bill No. 49 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 6, 18, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

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

Assembly in recess at 11:22 a.m.

ASSEMBLY IN SESSION

At 11:34 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Stone and Swain as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Representative Harry Reid.

The President of the Senate, the President pro Tempore of the Senate and Members of the Senate appeared before the bar of the Assembly.

Mr. Speaker invited the President and President pro Tempore of the Senate to the Speaker's rostrum.

Mr. Speaker invited the Members of the Senate to chairs in the Assembly.

IN JOINT SESSION

At 11:43 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 Assemblyman Collins, who was excused.

The President of the Senate appointed a Committee on Escort consisting of Senator Hernstadt and Assemblyman Thomas to wait upon Representative Reid and escort him to the Assembly Chamber.

The Committee on Escort in company with the Honorable Harry Reid, United States Representative for Nevada, appeared before the bar of the Assembly.

The Committee on Escort escorted the Representative to the rostrum.

The Speaker of the Assembly welcomed the Representative and invited him to deliver his message.

The Representative delivered his message as follows:

Lieutenant Governor Cashell, Mr. Speaker, Members of the Assembly and Senate, friends:

You know, it really is a pleasure for me to return to this chamber where I had the pleasure and honor of serving in the Nevada Assembly. Back in those days we met in the Nevada State Capitol. That reminds me of something. I was told by somebody we all know to make sure that when I deliver my speech, to make sure I only turn one page at a time.

But back in 1969 there were two freshman assemblymen; in fact, two freshmen legislators in those days. I remember serving in the Capitol with Assemblymen Dini, Paul May and Norm Glaser. Those of you in the Assembly should remember that Glaser, Jacobsen and Ashworth, at one time, were assemblymen, and I can remember those days. They are very fond memories. I, of course, can remember serving in the Senate for two terms as President of the Senate with Senators Lamb, Gibson, Wilson, Raggio, Blakemore and Neal, and I have great, fond memories of serving in those bodies. But I also have memories of some of those people who served with us who are no longer alive. These people bring back fond memories. Those of you who served with me in the Assembly will remember the name of Austin Bowler. Austin Bowler was a great Majority Leader. He did great things in moving the legislation through the halls of the Assembly. And of course, Bode Howard, the great representative from Winnemucca, who did many things. In fact, I can remember a judges' bill that kept us around here for several days because

of Bode Howard, and Bode got what he wanted. When I was in the Assembly, the Speaker was another fine man who I have great memories of, and that's Howard McKissick. In fact, Richard Bryan and I are reminded of him often because he gave Richard and me the name "The Gold Dust Twins," which people still refer to us on occasion. But enough sentimentality, I guess.

I, once again, have the privilege of serving the State of Nevada, this time as a Congressman. And today I'd like to share with you some of my first impressions of Federal service. In addition, I would like to take this opportunity to offer some suggestions to problems which we, who serve the State of Nevada, must all face. I would first like to tell you a little about Washington. It's an exciting place to be and, of course, full of surprises. I have been very pleased with my dealings with the leadership of the House of Representatives. Speaker Tip O'Neal is a much different man than many of us see on television. The first time that he met with us, the freshmen of the Congress, in walked this big, whitehaired man, and I expected him to tell us how things were in government, but he, in fact, told us about his personal life, in some respects, in Washington. He spent about twenty minutes telling us that he had served in Congress for thirty years. That for twenty-odd years he had lived in Washington alone, away from his family. And he told us how many heartaches were associated with that. That he wasn't there when his children were sick. He wasn't there when his children had problems in school. And, in effect, what he told us is that we should bring our families with us, if at all possible, to Washington so that we could experience our children growing up and not have some of the heartache that he had; a much different picture than I had in my vision of Speaker O'Neal.

Majority Leader Jim Wright is a fine man. Minority Leader Robert Michael, from the State of Illinois, is a man, like the rest of the leadership, who I feel is efficient, intelligent, and certainly accessible. They are always available to talk with when and if we have a problem. And I think, unlike the stereotype we see of the faceless bureaucrat, I find the departments of the federal government to be run by well-trained and dedicated people—people much like our own state government officials. People like Bart Jacka. People like your own Art Palmer, who has served tirelessly for many, many years answering the problems of people who have questions, most of them coming to you. I find that these people are like the Art Palmers of the world. They care about their work and they get excited when somebody else cares about their work. I have also been very pleased to have the opportunity to meet with experts in a variety of fields. I am a member of the Foreign Affairs Committee of the House of Representatives. I am the first person from Nevada to serve on this committee in the Congress, either the Senate or the House, for over forty years. The last person to serve there was Key Pittman, who was Chairman of the Foreign Service Committee in the Senate at the outbreak of World War II.

I have had some great experiences there. For example, I was one of twelve Congressmen chosen to meet with the Prime Minister of Japan, Yoshura Nakasoni, and I was able, in an off the record discussion, to talk with him. We talked with him about things that affect Nevada. For example, he was asked the question, "Why is Japan not allowing more beef to be imported into Japan?" And he told us why they weren't allowing more beef to be imported into Japan. A very frank discussion that was enlightening to me as someone coming from Nevada. Last Tuesday I had breakfast with the other members of the Foreign Affairs Committee, with Secretary of State Shultz, and Phillip Habib. They talked to us about something which affects every person in the world today, every person in the United States today and each one of us in the state of Nevada; namely, what is going on in the Middle East. On an hourly basis, of course, that affects what is going on here in Nevada. On Thursday, we were able to meet the foreign affairs Committee with President Mubarak, the President and leader of the country of Egypt. We, again, in an off the record discussion, were able to get his perspective as to what is going on in this volatile Middle East. Again, the events of the day affecting what is going on here. We were able to meet with Secretary of the Army, John Marsh. We were told, by the information given to use, what is going on all over the world today. I was certainly made aware of the move of Castro and his people throughout the entire world, especially in parts of Africa and the South American continent. Very, very scarey; but, of course, very enlightening. We have had an insight into why there are some of the problems in foreign trade, this vitally important thing to the United States, and especially to the State of Nevada.

I have been gathering information that will be important to me as a representative

of the State of Nevada. But more important, I believe, is obtaining information from the experts of the people from the State of Nevada. People such as each of you. I would like to stay in contact with you, and I would like to do it for a number of reasons. One is that it will make my job more meaningful. That is why I am here early. In the time that I have been here, I have already had the opportunity to speak to a number of people about problems that have affected them and that will be affecting them. I hope to do more of this because you, as state legislators, know where and how I can help on the federal level. And if you don't know, maybe we can figure this out together. Please let me know when I can help. I have with me a couple of representatives who are working for me, and I am made aware every day of what is going on here in Carson City. Feel free to call on me any time, literally, of the day or night to find out if there is any way that I can help you or to assist you in any way, or contact my staff if, for some reason, you can't get in contact with me.

Our country, and certainly the State of Nevada, is facing serious times ahead. I, personally, am still stunned every time I hear someone brief us in Washington about the massive projected federal deficit. Last Tuesday I was able to watch the President of the United States talk to us, and he was telling us about some of the problems facing this nation. The theme that kept coming up is that unless we do something about the tremendous deficits that are plaguing this country we are in for a long, hard pull.

I would like to remind each of you of something that I am sure you already know, but certainly a reminder doesn't hurt. The federal budget and the state budget are handled differently. You recognize that your capital expenditures are separate and apart from your regular budget. On a federal level they are not. So many of the expenditures that we make for capital improvements, so to speak, are lumped right into our budget. Yours, of course, are not.

But, friends, I don't think there are any easy answers to our economic problems. We all recognize that the money must be cut from some place. Every program is said by some to be the most important and you can't cut that program because it's the most deserving.

What about National Defense? Should we cut there? Last Monday I traveled to the Norfolk Naval Installation in Norfolk, Virginia. In that installation there are approximately 98,000 military personnel. 98,000. And I was struck by a number of things. Number one is that this is the pulse of the Atlantic Fleet. This is the pulse of the Allied operations in the entire Atlantic. But more importantly, we learned that the military is under tremendous pressure, especially the Navy. We learned that what they would like to do for the sailors is that each month that they are at sea they should be home two months so that they can do what they have to do at home, including taking care of their families. But they have been running for over a year and a half, six months at sea and two months home. Now, you can imagine, this is staggering. But yet we are going to be asked to cut further. We are going to be asked to cut the military pay more and if we cut military pay more, then these sailors are going to have to spend seven months at sea and two months at home. I was on a nuclear submarine, the Baton Rouge, and on that one submarine the crew had just returned after having been under the water for some seven months. But we are asked to cut there and it's hard to do.

Social programs. Social Security. There are going to be cuts there, but where? For example, with Social Security, 91 percent of all women over age 65 receive as their chief stipend, monitarily, Social Security benefits. But we are asked to cut from there. The cities. We are asked to no longer help the cities as we have in the past. But if you talk to Mayor Briare, you talk to Mayor Seastrand, Mayor Zide, just to name a few, they will tell you that they can't stand any more cuts. That revenue sharing must continue. In fact, even at a more accelerated level.

Education. Where are we going to cut with education? Are we going to tell the school districts throughout the country that we can no longer help educationally with those who are handicapped emotionally, physically and mentally? That those programs that are now in effect are no longer going to be in effect. Can we do that? The answer is probably no.

Medical care, police, fire protection. Are we going to cut there? There are going to have to be cuts made. I believe that President Reagan's proposal for an across-the-board freeze in federal spending may have some merit. It's something that we in Congress must take a very close look at this session of the Legislature.

I also want to impress upon you that some very hard choices need to be made. We,

together, will make them. But we must make them, I think, on an effort of conciliation and bi-partisanship. And I ask, again, for your advice and your support in this area.

I have also come to offer, as a privilege of one with past service, in both of these august bodies, some advice. I have reviewed very closely and in detail Governor Bryan's State of the State Address. He has given thoughtful, and I think workable solutions, to most of the problems. I urge you to work with him to enact these programs. One of the crucial programs and proposals is in the area of tourism. As former Chairman of the Nevada Gaming Commission, and as Lieutenant Governor of this state, I know that gaming remains a most important industry. An industry we all want to protect and strengthen during these hard economic times. I applaud the governor's far-sighted tourism program. Nevada has relied far too long on its reputation alone to attract visitors to this area. The time has come for us to promote our exciting state and its unlimited recreational activities to attract more visitors, because, believe me, there is going to be competition for these dollars.

I serve as a member of the Congress, and I have gotten to know very well the Congressman from the State of Tennessee, who represents Nashville. Nashville is having problems just like we're having, and Tennessee is going after the tourist dollar all over the country. I serve with a Congressman by the name of Nelson, who represents the area of Disney World. Those dollars are going to be fought for because Disney World isn't doing as well as it was some time ago. The decline in the number of tourists and the resulting reduced revenues is responsible for many of the economic problems in this state's number one industry. The attraction of more tourists will go a long way in alleviating these problems and that, of course, is a truism.

The concern about tourism woes is widespread throughout the state. Burton Cohen, who is both President of the Desert Inn Hotel and also President of the Nevada Resort Hotel Association, has emphasized in every public utterance that he has made the need for persons of all different occupations to recognize that their jobs are dependent, directly or indirectly, on tourism. And I agree with Burton Cohen. Mr. Cohen has even called for establishment of a Nevada Board of Tourism. Mayor Briare, in his State of the City address, has said that if Las Vegas is to survive and survive well the current recession, residents must become top sales persons for the tourism industry. The city of Henderson has recently passed a resolution calling for everyone in that city to support and encourage tourism, because that will help the whole State of Nevada.

But I believe the state must play a key role in the revitalization of the tourism industry. The reorganized Department of Tourism and Economic Development will, of course, be a logical step in this direction. I wholeheartedly support that the state should become an active partner in tourism production and promotion. Funds spent to attract tourists is money well spent because it is returned to Nevada many times over with the influx of additional visitors. Nevada must be competitive with other states to attract tourism dollars. I think in the same vein, the federal government has not been doing their share. As an example, the country of France spends 44 million dollars a year in advertising itself to the rest of the world. The little country called the Bahamas spends millions and millions of dollars a year to attract people to come to those scenic islands. Do you know what the United States spends to advertise itself? Nothing! Not one single penny do we spend advertising the United States. And that's wrong. It's wrong for a number of reasons. It's wrong for a very selfish standpoint from the State of Nevada's vantage point, because we get about four cents of every tourist dollar spent in the United States. I think it is, therefore, crucial that we, on the Federal level, do more. Statistics from the United States Travel and Tourism Administration, which has been recommended for no funding this year, has even now, with what funding it has, been ranked 49th of the 50 major countries surveyed regarding tourism promotion.

I plan to work to insure that there is more done in that area. I think we are going to have some help in the Congress from people like Nelson and people like Bonner, whom I spoke about earlier.

Now, there are many areas about which we have spoken today, and about which we could speak, but people out here in this audience know as much, if not more, than I know. But I believe that there is an area that I know as much, if not more, than anybody in these chambers. And that's about gaming. And I want to talk to you about gaming and give you, I hope, the advantage of some of the experience that I have had in that area. As important as it may be, market expansion alone may be insufficient to solve our economic woes. I am convinced that the market may be over-saturated with restricted and nonrestricted gaming licenses and operations. These operations of slot machines in

super markets, laundromats and service stations probably contribute little to our gaming economy and our tourist economy and our economy in general. I, therefore, suggest to these legislative bodies that you consider strongly the establishment of a legislative interim study committee to consider the effects of the further issuance, as they are now issued, of gaming licenses. This committee should consider whether gaming operations which have no significant capital outlay, add anything to our economy or whether they drain from establishments which do, in fact, have capital investments, both large and small, in our state. This is important, because we are talking about jobs, and this state is lacking in jobs. I believe that we can no longer stick our heads in the sand and say, "You know, as soon as New Years comes, the towns are going to turn around, the state's going to be great."

You know, I check back here on a weekly basis with people in the gaming industry, and I've heard them say, "Well you know when the New Year comes, things are going to be a lot better; when Easter comes, things are going to be better, when summer vacation comes, things are going to be better." People aren't saying that any more. If they are they're kidding themselves. The only way our economy is going to improve is if we decide that we are going to have to do something to help the state's major industry. And I think this is one avenue, and certainly, with all the expertise we have in these chambers, I think that we can come up with something. And this is one suggestion, that we decide whether we should continue issuing gaming licenses the way we have been.

I agree, also, with the Governor that economic diversification is the key to Nevada's future prosperity. I am very fortunate in being chosen to serve on the Science and Technology Committee as the other committee assignment I have in the Congress of the United States. Every speech that you hear coming from the Administration talks about science and technology. The freshman congressmen gathered for the first time in recent history in the White House for an orientation session. And the President, at that time, gave 95 percent of his speech about science and technology. He talked about how this country has to do more to maintain its place in the world economy by maintaining a higher profile in science and technology. In the State of the Union Message he spoke about the high frontiers of technology. It's important that we realize that science and technology is the name of the game. And as a member of that committee, I plan to promote, as much as I can, science and technology so that we in Nevada get our fair share. I think it's important that we understand that much of what I'm talking about is a nonpolluting, job intensive industry. This past week I was touring the Veterans Outpatient Center on Charleston Boulevard in Las Vegas. I was so impressed to see, as I walked through those facilities, students from the medical school at the University of Nevada at Reno. These students were working with these veterans who were sick and infirm. I think that's important because science and technology has made that possible and makes it ever increasingly possible. And I am pleased to announce here today that during this year there will be a delegation from the Congress of the United States Science and Technology Committee, together with staff who will be coming to Nevada, and that we will, at that time, look at various places. We will look at the non-military research that is going on at the Nevada Test Site and whether more can take place.

We will look at the Environmental Protection Agency to see if more is being done there or whether more can be done there. We will look at the solar energy experiments being conducted by the Desert Research Institute, and we will look at a lot more.

I would just point out in passing that one of the groups of people that I have met with since being on this committee is the people who are in charge of the lithium battery production in Henderson. A great project, and with a little bit of luck that can even become larger because those batteries that are being produced can only be produced in areas like Southern Nevada—dry, arid desert lands. This is something that came from the Science and Technology Committee, the original experiments and the original work done there.

But in addition to what I have talked about, the diversification of our economy, I endorse the Governor's proposals regarding crime and, certainly, his prison suggestions. We all recognize that we all have to work together to stop the ceaseless spiral of violence which is daily perpetrated against our citizens.

Now, on the state level, I agree that there should be something done about mandatory sentences for persons who are convicted of multiple felonies. I agree that the honor camp system may be a way to take the pressure off the prisons. I think that these types of things will enable the prison system to absorb every hoodlum, not just every other

hoodlum or a percentage, but every hoodlum who should be off the streets. On the federal level there is much that has to be done. I am in favor of changing the exclusionary rule which, if we read the newspapers, we see on a daily basis a way for people to escape some of the problems that are facing us in Nevada, especially in the organized crime area. I believe that on the federal level there will be changes made this session regarding the exclusionary rule. There must be something done about arson which is sweeping the country, and there are programs that are being considered at the federal level to give technical assistance to the local levels so that they can better detect and prosecute those people who have committed these terrible crimes.

Narcotics. There are things being done on the federal level. When I traveled to Norfolk, I was very impressed that they pointed out to us some of the military aircraft that had just landed. What had they been doing? They were part of an ongoing surveilance system that has done more than anything in recent history to detect narcotics being smuggled into our country. These AWACs type airplanes are being used to detect naval ships and aircraft that are illegally coming into this country. And they have made the largest narcotics busts that have been made using this modern, sophisticated equipment. And we must do more to keep up with the modern scientific criminal, and what's going on there at Norfolk is an example.

These, of course, are but a few of the many problems that face all of us as law makers. But as we deal with these crucial issues, we can be assured that we will make a difference in the history of this state and the history of this nation.

Now, last Thursday I attended a prayer breakfast that is held on a weekly basis when Congress is in session, held in the Capitol of the United States. I was very impressed with the group of people that were in attendance at this first prayer breakfast that I attended. These meetings have been going on for a long time in the Congress of the United States, and I certainly would be misleading you to tell you that there were hundreds of people there. In fact, there weren't. There were about 50 Congressmen who attended this meeting. But I was impressed. The speaker at this session of the Congressional Prayer Breakfast was a representative from the State of North Carolina by the name of Britt. He was a new Congressman. He was a man some 42 years of age who had never served in public office in any capacity before. And he told us that when he was first elected and came to Washington, he was struck with the immense power that he had—the power to do things for or against people. He proceeded to tell us that he was reminded of a biblical story about Moses. You know, Moses is referred to in the Old Testament as the most powerful man on earth, but yet the meekest. In fact, the man who had the most humility of anybody on earth at that time, and what Congressman Britt told us to do, most of us who had served in other capacities in state office prior to going to Congress. He told those Congressmen there who had been there for many, many years, that they should each be aware of the tremendous power that they have, and that they should remember the admonition given in the Old Testament to Moses that you should exercise your power wisely, for if you exercise the power that you have wisely, you not only benefit yourself, but all mankind.

So my message to each of you legislators here today is to recognize that you have great power at your fingertips to do all kinds of great things for the people that live in this State of Nevada. Remember that. Exercise your power wisely, because through that, our state will be made even better.

Thank you very much.

Senator Glaser moved that the Senate and Assembly in Joint Session extend a vote of thanks to the Representative for his timely, able and constructive message.

Motion carried.

The Committee on Escort escorted the Representative to the bar of the Assembly.

Assemblyman Zimmer moved that the Joint Session be dissolved.

Motion carried.

Assembly in recess at 12:20 p.m.

ASSEMBLY IN SESSION

At 12:26 p.m.
Mr. Speaker presiding.
Quorum present.

SPECIAL ORDERS OF THE DAY

The hour of 12:15 p.m. having arrived, vetoed Senate Bill No. 651 of the Sixty-first Session was considered.

VETO MESSAGES OF THE GOVERNOR

Vetoed Senate Bill No. 651 of the Sixty-first Session.
Bill read.
Governor's message stating his objections read.

STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, 89710

To the Secretary of State, State of Nevada:

I am herewith forwarding to your office for filing within the constitutional time limit, and without my approval, Senate Bill 651, entitled:

"An Act relating to the board for child care; limiting the board to advisory functions; transferring certain powers; and providing other matters properly relating thereto."

Senate Bill 651 would remove the Child Care Board as a community-based citizens' policy board designed to ensure quality child care in the State of Nevada, and turn it into simply an advisory body to state government. Such an action would take the citizens out of the regulatory function, placing in their stead governmental employees. This action would further bring direct governmental control over private enterprise and remove the governmental function a step further from the citizens.

Since the creation of this board, its membership has shown extraordinary concern about quality child care in this state, and approval of Senate Bill 651 would remove this important function from the citizens it directly affects.

Approval of Senate Bill 651 also would result in all current standards and regulations governing child care services expiring, causing unnecessary reinstitution of regulations by the Division of Youth Services of the State Department of Human Resources.

Following careful review and study, I have concluded that it is not in the best interests of the children of this state to approve this legislation. I am therefore exercising my right of veto over Senate Bill 651.

Date: June 16, 1981
Time: 12:02 a.m.

ROBERT LIST
Governor

The question was put: "Shall the bill pass, notwithstanding the objections of the Governor?"

Remarks by Assemblymen Jeffrey, Nicholas, Price, Chaney and Swain.

The roll was called, and the Assembly sustained the veto of the Governor by the following vote:

YEAS—20.

NAYS—Bergevin, Beyer, Bilyeu, Bogaert, Brady, Chaney, DuBois, Francis, Getto, Ham, Humke, Joerg, Kerns, Malone, Marvel, Nicholas, Price, Redelsperger, Stone, Thomas, Zimmer—21.

Absent—Collins.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Getto moved that the following persons be accepted as press representatives, that they be assigned space at the press table and be allowed the use of appropriate broadcasting facilities:

Pat Stevenson, FALLON EAGLE STANDARD; Marc Frederick, Kurt Tuck, LAHONTON VALLEY NEWS, FALLON.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 110—An Act relating to data processing; removing an obsolete reference to data processing under the department of general services; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 111—An Act relating to industrial insurance; expanding the circumstances under which certain persons may be admitted to the facilities of the state industrial insurance system for rehabilitative services; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 112—An Act relating to employment practices; prohibiting employers from asking applicants for employment certain questions concerning physical handicaps, injuries from industrial accidents or occupational diseases; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 113—An Act relating to explosive and incendiary devices; prohibiting their unlawful possession, manufacture or disposition without regard to an intent to destroy life or property; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Banner 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 Senate Bill No. 67.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Kovacs, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Ed Kovacs, Owen Nitz and Ms. Isabell Espinosa.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, February 1, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:42 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTEENTH DAY

CARSON CITY (Tuesday), February 1, 1983

Assembly called to order at 11:02 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Douglas C. Thunder.
Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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

Assemblyman Jeffrey moved that for the balance of the session all prayers be entered in the Journal:
Motion carried.

O Lord, as this day's session begins, we remember before you the members of this body and all the people they are sent here to represent. Provide the members with all they need for their appointed tasks this day. Also, we pray for encouragement among their constituents who may be disheartened; comfort for those in distress; hope for the discouraged; understanding and compassion for those whose lives are in order. Help all of your people, O Lord, in their struggles and in their successes to listen to one another, to reach out to one another, to care for one another. Let this care and compassion for our fellow human beings be ever-present among this body and all of us who gather here. In your mercy, Lord, hear our prayer.

AMEN.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, January 31, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 3 of the 61st Session.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 3 of the 61st Session.
Assemblyman Jeffrey moved that the resolution be referred to the Committee on Taxation.
Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Bergevin, Joerg, Malone, Stone, Nevin, Bogaert, Banner, Ham, Getto, May, Thomas, Beyer, Perry, Thompson, Redelsperger, Dini, Price, Marvel, Bremner, DuBois, Nicholas, Vergiels, Brady,

Bilyeu, Craddock, Chaney, Bourne, Stewart, Kerns, Jeffrey and Schofield:

Assembly Bill No. 114—An Act relating to criminal proceedings; abolishing the defense of insanity; making an offender's sanity a factor in sentencing; providing for treatment of offenders who are found insane; authorizing the court to appoint a psychiatrist or certified psychologist to examine offenders; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Jeffrey, Vergiels, Dini, Banner, and Thompson:

Assembly Bill No. 115—An Act relating to public works; providing a preference for contractors who have paid state and local taxes; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Fay (by request):

Assembly Bill No. 116—An Act relating to volunteer firemen; prohibiting their discharge from employment as a result of attending training or responding to an emergency; authorizing a civil action against an employer under certain circumstances; authorizing public employees to be relieved of duty to attend training and respond to emergencies without loss of compensation; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Jeffrey:

Assembly Bill No. 117—An Act relating to contractors; deleting the exception to the requirement of a bond or deposit before issuance or renewal of a contractor's license; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Jeffrey:

Assembly Bill No. 118—An Act relating to contractors; requiring proof of industrial insurance for the issuance or renewal of a contractor's license; requiring notice to state contractors' board of lapse, cancellation or withdrawal of a contractor's industrial insurance; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 6.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 14.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 18.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 32.
Bill read second time, ordered engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 21 be taken from the General File and re-referred to the Committee on Ways and Means.
Remarks by Assemblyman Dini.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 25.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 25:

YEAS—42.
NAYS—None.

Assembly Bill No. 25 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 45.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Assembly Bill No. 45:

YEAS—42.
NAYS—None.

Assembly Bill No. 45 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 46.
Bill read third time.
Remarks by Assemblymen Malone, Dini and Stewart.
Roll call on Assembly Bill No. 46:

YEAS—42.
NAYS—None.

Assembly Bill No. 46 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the following person be accepted as a press representative, that she be assigned space at the press table and be allowed the use of appropriate broadcasting facilities:

Arlene Fisher, NATIVE NEVADAN, RENO.

Motion carried.

Assemblyman Getto moved that the following person be accepted as a press representative, and that he be assigned space at the press table and be allowed the use of appropriate broadcasting facilities:

Mike McGinnes, KVLV.

Motion carried.

Assemblyman Kovacs moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:23 a.m.

ASSEMBLY IN SESSION

At 11:27 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 119—An Act relating to vocational boards and commissions; authorizing certain boards and commissions to audit their fiscal records biennially instead of annually; requiring that audits and financial statements conform to generally accepted standards; and providing other matters properly relating thereto.

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

Motion carried.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, February 2, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:31 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTEENTH DAY

CARSON CITY (Wednesday), February 2, 1983

Assembly called to order at 11:02 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblyman Swain, who was excused.
Prayer by the Chaplain, The Reverend Douglas C. Thunder.

O Lord, we often are swept up by the busyness of what we are doing—the expectations of others and the demands we place on ourselves. We find that we are not the same people we were before. We may even get to the point of not knowing who we are or who we want to be. Help us all, Lord, keep in touch with ourselves, with our most basic feelings, aspirations, and motivations. You have taught us: "Love your neighbor *as yourself.*" As we attempt to love and serve our neighbor we can be effective only insofar as we know and love ourselves. So, keep us in touch with ourselves, Lord, as we confront this new day's agenda. Lord, in your mercy, hear our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 66, 67, 68, 69, 70, 71, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 1, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day failed to sustain the Governor's veto on Assembly Bills Nos. 541, 619, 665, of the Sixty-first Session.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 94.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 6.

Janice L. Thomas
Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Stone, Nevin, Sader, Malone and Bourne:

Assembly Bill No. 120—An Act relating to the Airport Authority of Washoe County; equalizing the number of trustees of the Authority appointed by the respective political subdivisions; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Vergiels, Jeffrey, Stewart, Schofield, Brady, Dini, Thompson, Malone, Kovacs, Bourne, Banner, Bergevin, Price, Collins, Perry, Redelsperger, Humke, Berkley, Craddock, Kerns, Bilyeu, Joerg, Sedway, DuBois, Nicholas, Chaney and Beyer:

Assembly Bill No. 121—An Act relating to criminal proceedings; abolishing the defense of insanity; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Stone:

Assembly Bill No. 122—An Act relating to criminal procedure; prohibiting plea bargaining after 7 days before a case is initially set for trial; requiring a meeting before trial for the exchange of evidence; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 6.

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

Motion carried.

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

Assembly in recess at 11:08 a.m.

ASSEMBLY IN SESSION

At 11:22 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 94.

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 31, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bill No. 31 declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 123—An Act relating to summary administration of estates; raising the limit for such administration to follow the federal estate tax; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Stewart, Jeffrey, Thompson, Sader, DuBois, Brady, Stone, Nevin, Berkley, Ham, Malone, Bilyeu, Collins, Humke and Fay:

Assembly Bill No. 124—An Act relating to crimes and punishment; providing punishment for participation in a criminal syndicate; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 125—An Act relating to dentistry; authorizing the board of dental examiners of Nevada to regulate the use of general anesthesia by licensed dentists; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 126—An Act relating to public works; reconciling the definitions of "public body" and "contracting body" as those terms are used in provisions relating to public works; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 127—An Act relating to public works projects; changing the time for reporting the names and addresses of subcontractors to the labor commissioner; requiring reports concerning the completion of work; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 128—An Act relating to the reporting of wages; requiring employers to report additional details; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 129—An Act relating to private employment agencies; raising the amount of bond required to cover certain claims; providing for the confidentiality of certain materials; changing provisions of law governing the fee which may be charged for a placement for temporary employment; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 130—An Act relating to compensation for labor; changing the basis for exempting retail commission salespeople from statutory requirements concerning overtime pay; authorizing lodging as part of compensation; changing the monetary limitation upon meals as part of compensation; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 6.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 6:

YEAS—41.

NAYS—None.

Absent—Swain.

Assembly Bill No. 6 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 14.

Bill read third time.

Remarks by Assemblyman Coffin.

Roll call on Assembly Bill No. 14:

YEAS—41.
NAYS—None.
Absent—Swain.

Assembly Bill No. 14 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 18.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 18:

YEAS—41.
NAYS—None.
Absent—Swain.

Assembly Bill No. 18 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 32.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Assembly Bill No. 32:

YEAS—40.
NAYS—Stone.
Absent—Swain.

Assembly Bill No. 32 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 94.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Senate Bill No. 94:

YEAS—41.
NAYS—None.
Absent—Swain.

Senate Bill No. 94 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 31.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Senate Bill No. 31:

YEAS—41.
NAYS—None.
Absent—Swain.

Senate Bill No. 31 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Economic Development, Tourism and Mining:

Assembly Bill No. 131—An Act relating to economic development; creating the Nevada industrial development agency and providing for its organization, powers and duties; changing the organization, powers and duties of the department of economic development; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Economic Development, Tourism and Mining.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gary Rosenberg.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Margo Sanders.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ross Price, Mesdames Allen, Garfin, Clarke, Wood, Giomi and fifth grade students from Fritsch Elementary School, Carson City, Nevada: Glenn Booth, Josh Garfin, Clay Fincher, Matt Holcomb, Chris Malone, Ron Manning, Marty Minetto, Sean Ramey, Louis Sears, Chris Terpstra, Eric Werner, Chris Kramer, James Lopez, Vicki Allen, Jennifer Clarke, Veronica Dunn, Kristina Foster, Shawn Giomi, Sonja Gjerde, Christiane King, Sheryl Kleinendorst, Jennifer Loflin, Stacy Macado, Jolie Morrison, Monica Navarro, Julie Ramsden, Natasha Spradlin, Michelle Pyle and Kristi Tristao; Mr. William Wilkinson and students from Pyramid Lake High School, Nixon, Nevada: Rowland Raye, Jr., Carolyn Harry, Lavette Lowery, Loretta Pancho, Tim Barlese, Irwin Mix and Steve Mandell.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, February 3, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:43 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTEENTH DAY

CARSON CITY (Thursday), February 3, 1983

Assembly called to order at 11 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblyman Swain, who was excused.
Prayer by the Chaplain, The Reverend Douglas C. Thunder.

Lord, we pause for a few moments this Thursday to call to mind the people at home—the families of the members of this assembly who do not see much of their loved ones when the legislature is in session. We thank you, Lord, for them all and we ask that all of their needs be satisfied as they await the returning of their loved ones. We also remember the individual constituents of each of these members of this assembly, especially those who are experiencing difficult times—the unemployed who are continually frustrated in their attempts to find work; the people who are living on ever-shrinking fixed incomes—which during their working days would have seemed to be more than adequate; those who are suffering from serious illnesses, and all others who are lonely, disheartened, or discouraged. Grant that what happens in these halls may make their conditions better and offer them hope. Lord, in your mercy, hear our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 41, Assembly Joint Resolution No. 25 of the 61st Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 2, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Concurrent Resolution No. 5.

MAE LOFTHOUSE
Assistant Secretary of the Senate

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

Assembly in recess at 11:04 a.m.

ASSEMBLY IN SESSION

At 11:05 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 66.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 67.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 68.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 69.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 70.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 71.
Bill read second time, ordered engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Bremner and May:

Assembly Bill No. 132—An Act relating to governmental finance; revising the limitation on the total ad valorem tax levy; increasing the rate of the local school support tax and providing for decreasing rates in subsequent fiscal years; increasing the rate of the basic city-county relief tax; decreasing the rate of the supplemental city-county relief tax and changing its distribution; revising and abolishing respectively limitations upon certain revenues; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Stewart, Malone, Stone and DuBois:

Assembly Bill No. 133—An Act relating to crimes and punishment; making illegal certain acts regarding computers; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:12 a.m.

ASSEMBLY IN SESSION

At 11:19 a.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bills Nos. 33, 38, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Ways and Means.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Joint Resolution No. 1, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LONIE CHANEY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Chaney moved that Assembly Bills Nos. 33 and 38 be re-referred to the Committee on Ways and Means.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Jeffrey:

Assembly Bill No. 134—An Act relating to public works; requiring a valid contractor's license for a valid bid; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Stone, Nevin, Sedway, Francis, Berkley, Bogaert, Malone, Chaney, Humke and Brady:

Assembly Bill No. 135—An Act relating to property tax; broadening exemption for elderly; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 136—An Act relating to thrift companies; increasing the amount of the bond or letter of credit required for licensing; authorizing the investigation of companies affiliated with a licensee; changing the name and the amount of money in the fund required to be established upon beginning business; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 137—An Act relating to insurance; extending specifications of which coverage is primary to policies of insurance for motor vehicles; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 138—An Act relating to mortgage companies; requiring posting of licenses; requiring approval of commissioner of savings association for changes of control; expanding the definition of mortgage companies; increasing the bond required of mortgage companies; expanding the duties of the commissioner of savings associations; expanding the grounds for suspension of licenses; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 139—An Act relating to the retention of public records; authorizing the several courts of this state to provide by rule for destruction of certain documents without prior microfilming; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 140—An Act relating to taxation; providing for the submission to the registered voters at the general election in 1984 of the question whether the Sales and Use Tax Act of 1955 should be amended to provide for exclusion from the taxes of the value of a used motor vehicle taken in trade on sale of another motor vehicle and to provide for partial removal of the exemption for occasional sales of motor vehicles; correspondingly amending the Local School Support Tax Law; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Speaker announced that there will be a Joint Session of the Senate and Assembly, Thursday, February 10, 1983, 10:30 a.m., for the purpose of hearing The Honorable Paul Laxalt, United States Senator for Nevada.

REMARKS FROM THE FLOOR

Assemblyman Getto requested that Assemblyman Redelsperger's remarks be entered in the Journal:

Mr. Speaker, to you, and to the rest of the members of the Assembly, on this date, February 3, 1983, I would like to draw your attention to a very special event that is taking place in Panaca in Lincoln County. One hundred years ago today, Charles Matthews was born in Panaca, Nevada. Tonight he and his wife will be celebrating his 100th birthday by going out and dancing. I would like the rest of Nevada and the rest of my fellow

Assemblymen to join me in wishing Mr. Charles Matthews a very happy and fulfilling birthday.

Thank you.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

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

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Julie Viani and Paula Viani.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Bill Morris and Robert Mayhew.

On request of Assemblyman Collins the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Cuthbert Mack.

On request of Assemblyman Joerg the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Irene McComb, Ruth Sue Pleiffer, Elsye Skjohdal, Maxine Bowton, Helen Willey and Mr. Arnold L. Wetzsteim.

Assemblyman Stewart moved that the Assembly adjourn until Friday, February 4, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:29 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETEENTH DAY

CARSON CITY (Friday), February 4, 1983

Assembly called to order at 11:01 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Douglas C. Thunder.

O Lord, as we draw to the end of another week of this legislative session, we thank you for the people who have given assistance—colleagues, staff, representatives of the administration, interested citizens, family and friends. We pray for the safety of all who travel this weekend. As the members of this body take a couple of days off from the normal routine, may they be revitalized in their relationships with their families and given a renewed enthusiasm for the tasks they have undertaken as law-makers for our state. Your peace, grace, mercy, and love be with us always. Lord, in your mercy, hear our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Brady 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 10, 104, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 3, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 16, 20, 22, 23, 25, 66.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Stone, Nevin, Price, Bogaert, Malone, Nicholas, Sader, Sedway, Schofield, Kovacs, Bremner, Redelsperger, Kerns, Beyer, Brady, Francis, Marvel, Bilyeu, Humke, Thomas, Collins, Thompson, Joerg, Fay, Zimmer, Ham, Bourne, Berkley, Swain and Perry:

Assembly Bill No. 141—An Act relating to dairy products; allowing a retailer to give a discount to the elderly; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Berkley, Sader, DuBois, Nevin, Fay, Malone, Bilyeu, Stewart, Stone, Jeffrey, Kerns and Humke:

Assembly Bill No. 142—An Act relating to elections; extending the required period for reporting campaign contributions; and providing other matters properly relating thereto.

Assemblyman Berkley moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 143—An Act relating to taxation; providing for submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to provide an exemption from the tax for eyeglasses and other ophthalmic devices; contingently creating a similar exemption from certain analogous taxes; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 16.

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

Motion carried.

Senate Bill No. 20.

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

Motion carried.

Senate Bill No. 22.

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

Motion carried.

Senate Bill No. 23.

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

Motion carried.

Senate Bill No. 25.

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

Motion carried.

Senate Bill No. 66.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 41.
Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 1.
Resolution read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 25 of the 61st Session.
Resolution read second time, ordered engrossed and to third reading.

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

Assembly in recess at 11:13 a.m.

ASSEMBLY IN SESSION

At 11:16 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:
Assembly Bill No. 144—An Act relating to taxes on motor vehicle fuel, authorizing the use of specified proceeds of the taxes for the operation and maintenance of certain outdoor recreational facilities associated with boating; and providing other matters properly relating thereto.
Assemblyman Bremner moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

By the Committee on Ways and Means:
Assembly Bill No. 145—An Act relating to the hearings division of the department of administration; transferring it to the department of industrial relations and changing its name; and providing other matters properly relating thereto.
Assemblyman Bremner moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

By the Committee on Ways and Means:
Assembly Bill No. 146—An Act relating to the financing of school construction; repealing NRS 387.334 which provided for state loans; providing for the reversion of money appropriated for that purpose to the state general fund; and providing other matters properly relating thereto.
Assemblyman Bremner moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Economic Development, Tourism and Mining:
Assembly Concurrent Resolution No. 4—Authorizing expenditure from

the legislative fund for the payment of a speaker to appear before a standing committee of the Assembly during the 62nd session of the legislature.

Assemblyman Joerg moved that the resolution be referred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 66.
Bill read third time.
Remarks by Assemblyman Bourne.
Roll call on Assembly Bill No. 66:

YEAS—42.
NAYS—None.

Assembly Bill No. 66 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 67.
Bill read third time.
Remarks by Assemblyman Thomas.
Roll call on Assembly Bill No. 67:

YEAS—42.
NAYS—None.

Assembly Bill No. 67 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 68.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Assembly Bill No. 68:

YEAS—42.
NAYS—None.

Assembly Bill No. 68 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 69.
Bill read third time.
Remarks by Assemblyman Kerns.
Roll call on Assembly Bill No. 69:

YEAS—42.
NAYS—None.

Assembly Bill No. 69 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 70.
Bill read third time.
Remarks by Assemblyman Bogaert.

Roll call on Assembly Bill No. 70:

YEAS—42.

NAYS—None.

Assembly Bill No. 70 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 71.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 71:

YEAS—42.

NAYS—None.

Assembly Bill No. 71 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 147—An Act relating to pesticides; exempting some applications of pesticides from regulation; extending certificates for applying pesticides; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 148—An Act relating to larceny; providing a minimum fine and conditions for probation and parole for persons found guilty of grand larceny of livestock; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Concurrent Committees on Natural Resources, Environment and Agriculture and Judiciary.

Motion carried.

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 149—An Act relating to livestock; providing additional restrictions on their entry into this state; providing an increased penalty for violating orders or regulations of the state quarantine officer; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 150—An Act providing for offices for the department of agriculture; authorizing the executive director to select locations for the offices; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly in recess at 11:35 a.m.

ASSEMBLY IN SESSION

At 11:36 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that there will be a Joint Session of the Senate and Assembly, Friday, February 18, 1983, 10:30 a.m., for the purpose of hearing the Honorable Barbara Vucanovich, previously scheduled for 11:00 a.m.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 31, 94.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Vicky Vessie.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Delia Martinez and Mr. Glen Taylor.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, February 7, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:37 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-SECOND DAY

CARSON CITY (Monday), February 7, 1983

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Emil P. Leising.

Merciful Father, whose mercies are new unto us every morning, and like the source of every good and perfect gift, we join with the psalmist of old, "I will lift up mine eyes unto the hills from whence cometh my help, my help cometh from the Lord who made heaven and earth." We thank you for this new day of your creation, and for permitting us to be a part of it. We pray for your guidance, as your elected leaders work, counsel and act in the best interests of all citizens of our state. Grant us wisdom and patience so that your will may be done among us. We also pray for all leaders of our nation and for the nations of the world, that justice and peace may prevail among us. In Jesus' name,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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, February 4, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 30.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 21 of the 61st Session.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Schofield, Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Kovacs, Malone, Marvel, May, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Vergiels and Zimmer:

Assembly Concurrent Resolution No. 5—Commemorating Nevada Boy Scout Day, February 7, 1983.

WHEREAS, On February 8, 1910, following a visit to England where he met Sir Robert Baden-Powell, founder of the Scouting movement, William D. Boyce, a Chicago publisher, founded the Boy Scouts of America; and

WHEREAS, The Boy Scouts of America have designated February 7, 1983, as Boy Scout Day in commemoration of the 73rd anniversary of the founding of the Boy Scouts of America; and

WHEREAS, On this day, February 7, 1983, representative Boy Scouts are visiting the offices of all branches of government of the State of Nevada; and

WHEREAS, The Scouting movement in America has long infused in the souls of young men the high ideals and principles of integrity and good character inherent in the Boy Scout Law; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That February 7, 1983, be declared to be Nevada Boy Scout Day; and be it further

Resolved, That the Boy Scouts of America be heartily commended for their interest in our government; and be it further

Resolved, That copies of this resolution be transmitted by the legislative counsel to the Nevada Area Council and the Boulder Dam Area Council of the Boy Scouts of America.

Assemblyman Schofield moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Assemblyman Schofield requested that Assemblyman Bogaert's remarks be entered in the Journal:

It is indeed a pleasure. This day is probably one of the most important of my legislative session, as a five-year scoutmaster, to have these young men here with us. We are looking at some of the future leaders of this country and the world. We are looking at a group of young men, for the most part, whose lives will turn out better than the average because of their scouting experience. These young men are what our country is all about and will be in the future. I think it's one of the greatest things we can do today to have these young men with us. Thank you.

Resolution adopted unanimously.

Assemblyman Schofield moved that the rules be suspended and that the resolution be immediately transmitted to the Senate.

Motion carried unanimously.

Senate Joint Resolution No. 21 of the 61st Session.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Taxation.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 41.

Bill read third time.

Remarks by Assemblyman Berkley.

Roll call on Assembly Bill No. 41:

YEAS—42.

NAYS—None.

Assembly Bill No. 41 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 1.

Resolution read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Joint Resolution No. 1:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 25 of the 61st Session.

Resolution read third time.

Remarks by Assemblyman Sedway.

Conflicts of Interest declared by Assemblymen Marvel and Price.

Roll call on Assembly Joint Resolution No. 25 of the 61st Session:

YEAS—40.

NAYS—None.

Not voting—Marvel, Price—2.

Assembly Joint Resolution No. 25 of the 61st Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Sedway, Craddock, Perry, Nevin, DuBois, Zimmer, Collins, Francis, Jeffrey, Price, Fay, Thomas, Thompson, Kerns, Malone, Kovacs, Beyer, Getto, Ham, Bogaert, Humke, Brady, Dini, Banner, Schofield, May and Nicholas:

Assembly Joint Resolution No. 3—Proposing amendments to article 11 of the constitution of the State of Nevada, relating to education, providing a separate board of regents for the community colleges and requiring reciprocity between the University of Nevada and the community colleges.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That article 11 of the constitution of the State of Nevada be amended by adding thereto a new section and by amending sections 5, 6 and 9 of article 11, to read respectively as follows:

Sec. 11. The legislature shall provide for the establishment of a system of community colleges under the control of a board of regents elected for that purpose, whose duties and election the legislature shall prescribe. The board of regents of the University of Nevada and the board of regents of the community colleges shall each give full credit to persons who have completed academic work in an institution controlled by the other.

[Sec:] *Sec.* 5. The Legislature [shall have power to establish] *may establish* Normal schools, and such different grades of schools, from the primary department to the University, as [in their discretion] they may deem necessary, and all Professors in [said University, or] *the University and community colleges and all* Teachers in [said] *the* Schools of whatever grade [,] shall be required to take and subscribe to the oath as prescribed in [Article Fifteenth] *article 15* of this Constitution. No Professor or Teacher who fails to comply with the provisions of any law framed in accordance with the provisions of this Section, [shall be] *is* entitled to receive any portion of the public monies set apart for school purposes.

[Section] *Sec.* 6. In addition to other means provided for the support and maintenance of [said] *the* university , *community colleges* and common schools, the legislature shall provide for their support and maintenance by direct legislative appropriation from the general fund, upon the presentation of budgets in the manner required by law.

[Sec:] *Sec.* 9. [No sectarian] *Sectarian* instruction shall *not* be imparted or tolerated in any school , *college* or University that may be established under this Constitution.

Assemblyman Sedway moved that the resolution be referred to the Committee on Education.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 151—An Act relating to the use of land; repealing statutory provisions which empower cities and counties to require the

dedication of land or the imposition of a residential construction tax for parks and playgrounds; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 152—An Act making an appropriation to the reserve for statutory contingency fund; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Malone, Bogaert, Stewart, May, Getto, Bergevin, Price, Collins, Dini, Humke, Redelsperger, Thompson, Berkley, Craddock, Kerns, Bilyeu, Joerg, Francis, Sedway, DuBois, Nicholas, Marvel, Bremner, Nevin, Stone, Fay, Jeffrey, Brady, Ham, Bourne, Kovacs, Banner, Beyer, Thomas, Coffin, Zimmer, Swain, Schofield, Vergiels, Perry and Sader:

Assembly Bill No. 153—An Act relating to peace officers; including agents of the Federal Bureau of Investigation and Secret Service under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Sedway:

Assembly Bill No. 154—An Act relating to pharmacy; increasing the time that prescriptions must be retained on file; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 30.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 10.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 104.

Bill read second time, ordered engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Redelsperger, Dini, Brady, Nicholas, Humke, Price, Thompson, Bilyeu, Zimmer, Francis, Craddock, Bergevin, Getto and Schofield:

Assembly Bill No. 155—An Act relating to taxation; providing for the submission to the registered voters at the general election in 1984 of the question whether the Sales and Use Tax Act of 1955 should be amended to provide a reduction of those taxes paid on certain mobile homes; contingently creating similar exemptions from certain analogous taxes; and providing other matters properly relating thereto.

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

Motion carried.

Assemblyman Stewart moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:39 a.m.

ASSEMBLY IN SESSION

At 11:44 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Sedway:

Assembly Bill No. 156—An Act relating to controlled substances; authorizing the sale of controlled substances by pharmacies to practitioners without prescriptions; authorizing sales of other drugs to stock ambulances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 157—An Act relating to taxation; imposing a tax upon the furnishing of certain labor and services; providing its rate and certain exemptions; providing for its collection; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

REMARKS FROM THE FLOOR

Assemblyman Schofield requested that Assemblyman Craddock's remarks be entered in the Journal:

Mr. Speaker, I think we would be somewhat derelict if we didn't go so far as to commend the parents and scout leaders, which are often one and the same, for their unselfish dedication to the scouting movement. Without their efforts, these young people

would not have the opportunity to further excel, which they have today. I think we should thank the parents and scout leaders as we go along the way.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Greg Ellis and Craig Mooney.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Cameron Earl.

On request of Assemblyman Berkley, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Tom Ragar and Mickey Lalic.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Frank Ortiz.

On request of Assemblyman Bilyeu, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Keith Covert and Danny Cronin.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jay Cooper.

On request of Assemblyman Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Russell Kendall.

On request of Assemblyman Brady, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Chris Steyn.

On request of Assemblymen Collins and Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mike Wallace.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Steve Barron.

On request of Assemblyman DuBois, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Robert E. Brown.

On request of Assemblyman Francis, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Kelly Harris.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Aaron Reece and Michael Pearson.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Chad Jenkins and David Kitchenmaster.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Lawrence Anthony Bogdon and Robert W. Ragar, Jr.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Joe Maisano and Arnold McGuire.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Eric Waugh and Tim Mooney.

On request of Assemblyman Kovacs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mark Knight.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mark Davidek.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Neil Talbot and Scott Talbot.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Phillip Morrow and Michael Dyal.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jim Morris.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tom Prendergast and Miss Kari Hill.

On request of Assemblyman Perry, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. John Richardson, Paul Roberts and Martin Schaedlo.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Jay Bingham, Roy Smith, Bob Barker, Chuck Grimes, Leo Rowen, Cecil Wynn and Paul Yates.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ronald Balcom.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ken Arlitz.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Steve Anderson and Gene Donovan.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Darren Swinney and Jim Talbot.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Larry Coles and Robert McDonald.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Eric Weldon.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Paul Abbett and Derek Toman.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Nanette McCulley, Ellen Smith and students from Fritsch Elementary School, Carson City, Nevada: Rhead Kinder, Kip Perry, Lisa McKenzie, Kari Beckett, Carrie Keith, Tanya McLain, Jamie Clark, Stephanie Martin, Sheila Amsler, Karen Doyle, Julie Maddox, Jenni Johnson, Stacey Turner, Sean Richards, Eric Summers, Jason Presnell, Robert Martinez, Holly Skulstad, Andrea Bennett, Doug Nelson, Mark Hutchinson, Lisa Miller, Jennifer Ong, Valerie Ritchie, Tara Bernard, Chris Miley, David Thompson, Riley Greene, Jeff Bean, Shane Landry, Rob Pollard, Scott Jones, Matt Grows, Ray Miers and Steve Davis.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Kendall Wallace.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, February 8, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:49 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-THIRD DAY

CARSON CITY (Tuesday), February 8, 1983

Assembly called to order at 11 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Robert H. Schwartz.

Dear God, leader of us all, judge of us all, how well you know us all. We may come from big towns or isolated communities. We come representing a complex collection of philosophies, religions and political needs. We come with eagerness to accomplish our goals and to defeat what we may consider to be unnecessary, or even evil. And with all this diversity, Lord, we are now united in one common action, the bowing of our heads before you. This is an act of humility, Lord. Perpetuate that humility. Keep us humble to realize that all the ideas are not our own, all of our insights and experiences are not just confined to us. Help us to help each other, Lord. Help us to learn from each other, and from you, in your name and spirit,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 88, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 1, 62, 64, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 7, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 5.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 33 of the 61st Session.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 8.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 33 of the 61st Session.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Senate Concurrent Resolution No. 8.

Assemblyman Kerns moved the adoption of the resolution.

Remarks by Assemblyman Kerns.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Berkley:

Assembly Bill No. 158—An Act relating to elections; extending further from a polling place the bounds of the area in which solicitation of voters and electioneering are prohibited; and providing other matters properly relating thereto.

Assemblyman Berkley moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 159—An Act relating to law libraries; reducing the frequency of required meetings of the board of trustees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 160—An Act relating to employment agencies; increasing the annual fee for a license; providing that fees are not refundable; and providing other matters properly relating thereto.

Assemblyman Collins moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 161—An Act relating to talent agencies; requiring the labor commissioner to license and regulate talent agencies; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Collins moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Humke, Nevin, Stone, Ham, Stewart, Malone, Bilyeu and Sader:

Assembly Bill No. 162—An Act relating to controlled substances; expanding the list of property subject to forfeiture to include money exchanged for controlled substances and the proceeds of an exchange; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Getto, Bilyeu, May, Schofield and Stone:

Assembly Bill No. 163—An Act relating to crimes against public justice; providing penalties for the commission of certain acts against victims of crime, witnesses and public justice; providing for an affirmative defense; providing for injunctions; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Zimmer, Getto, Thomas, Ham, Brady, Bilyeu, Banner, Sedway, Francis, Malone, DuBois, Redelsperger and Bourne:

Assembly Bill No. 164—An Act relating to interest on money; limiting the methods of computing interest on certain loans; and providing other matters properly relating thereto.

Assemblyman Zimmer moved that the bill be referred to the Committee on Commerce.

Motion carried.

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

Assembly in recess at 11:11 a.m.

ASSEMBLY IN SESSION

At 11:18 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 92, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 165—An Act relating to contractors; expanding the injunctive relief available to the state contractors' board; clarifying certain classifications of the contracting business; extending the minimum period for filing a surety bond or cash deposit with the board; repealing statutory provisions relating to resident agents; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 166—An Act relating to guardians; designating the source of payment for an attorney appointed to represent a proposed ward; providing that a hearing need not be held for the appointment of a temporary guardian; prohibiting the requirement of a bond from a temporary guardian; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly in recess at 11:21 a.m.

ASSEMBLY IN SESSION

At 11:24 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Sader, Beyer, Stewart, Berkley, Malone, Kovacs, Price, Sedway, Collins, Perry, Nicholas, Bremner, Thompson, DuBois, Stone, Banner, Coffin, Marvel, Brady, Redelsperger, Nevin, Humke, Ham, Bourne, Swain, Bergevin, Francis, Schofield, Thomas and Zimmer:

Assembly Bill No. 167—An Act relating to traffic violations; revising the provisions concerning driving while intoxicated; providing preliminary tests for intoxication; providing for summary revocation of drivers' licenses; providing a penalty for driving with a certain percentage of alcohol in the blood; increasing certain other penalties; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Concurrent Committees on Judiciary and Transportation.

Motion carried.

By Assemblymen Nicholas, Sader, Beyer, Swain, Bilyeu, Bourne, Stone, Brady, Zimmer, Kerns and Humke:

Assembly Bill No. 168—An Act relating to campaign contributions; extending the periods required to be covered by the first and second reports of such contributions; requiring separate identification of cumulative contributions which exceed a specified amount; and providing other matters properly relating thereto.

Assemblyman Nicholas moved that the bill be referred to the Committee on Elections.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 152, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 10.
Bill read third time.
Remarks by Assemblyman Nevin.
Roll call on Assembly Bill No. 10:

YEAS—42.
NAYS—None.

Assembly Bill No. 10 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 104.
Bill read third time.
Remarks by Assemblyman Fay.
Roll call on Assembly Bill No. 104:

YEAS—42.
NAYS—None.

Assembly Bill No. 104 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 88 be placed on the Second Reading File.
Remarks by Assemblyman May.
Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 88.
Bill read second time.
The following amendment was proposed by the Committee on Taxation:
Amendment No. 23.
Amend Section 1, page 1, by deleting lines 1 through 3.
Amend Section 1, page 1, line 4, by deleting "2." and inserting: "Section 1.".
Amend Section 1, page 1, line 6, by deleting the brackets.
Amend Section 1, page 1, line 8, by deleting the bracket.
Amend Section 1, page 1, by deleting line 9 and inserting: "July 1, [1983.] *1985.*"
Amend the title of the bill, first line, by deleting "repealing" and inserting:
"changing the effective date of".

Amend the summary of the bill to read as follows:
"Changes effective date for statutory provisions which reduce certain state gaming license fees. (BDR S-848)".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Patricia Wyatt.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Barbara Maclean and Dr. Ralph A. Irwin.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, February 9, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:38 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-FOURTH DAY

CARSON CITY (Wednesday), February 9, 1983

Assembly called to order at 11:01 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Robert H. Schwartz.

Heavenly Father, Eternal God, even as we gather in the shadow of everlasting hills, we seek a blessing on our ideas, our compromises, our accomplishments. Sometimes, Lord, the needs of today seem so great and our efforts so temporary in effect. Do they do any good? Can they do anything good?

But when we look at the hills, we know there are things that are lasting. Lord, save us from despairing, for we know when we use our talents, when we work with good will, when we are in accord with your will, You will establish the work of our hands. Yes, Lord, the work of our hands, establish it.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Joint Resoluton No. 3 of the 61st Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 8, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 32 of the 61st Session.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Bogaert, Nicholas, Stone, Brady, Craddock, Berkley, Fay, Schofield, Sedway, Kovacs, Nevin, Kerns, Perry, Ham, Francis, Bourne, Collins, Bergevin, Malone and Vergiels:

Assembly Joint Resolution No. 4—Proposing to amend the Nevada constitution to provide for a limited, annual session of the legislature, restrict the times for calling a special session and limit the time for the introduction of bills.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That sections 2 and 15 of article 4 of the constitution of the State of Nevada be amended, article 4 be further amended by adding thereto a new section to be designated section 29, and section 9 of article 5 be amended to read respectively as follows:

Sec. 2. [The sessions of the Legislature shall be biennial, and shall commence on the 3rd Monday of January next ensuing the election of members of the Assembly, unless the Governor of the State shall, in the interim, convene the Legislature by proclamation.] *The legislature shall meet in regular session annually, beginning on the second Monday in March of 1987, and continuing on that date for every odd-numbered year thereafter. The session in even-numbered years must begin on the second Monday in January.*

[Sec:] *Sec.* 15. The doors of each House shall be kept open during its session, except the Senate while sitting in executive session, and neither shall, without the consent of the other, adjourn for more than [three] *four consecutive calendar* days nor to any other place than that in which they may be holding their sessions. *During a regular session, the legislature must meet on at least 20 days within each period of 30 days.*

Sec. 29. 1. The regular session of the legislature must not exceed 50 days and those sessions must end at midnight on the 50th day. A special session convened by the governor must not exceed 20 days.

2. No new bills may be introduced by an individual member of the legislature after the 15th legislative day of each session. Joint resolutions and new bills introduced by a committee of the legislature may be introduced only during the first 30 days of each regular session.

[Sec:] *Sec.* 9. *1.* The Governor may on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses when organized, the purpose for which they have been convened, and the Legislature shall transact no legislative business, except that for which they were specially convened, or such other legislative business as the Governor may call to the attention of the Legislature while in Session.

2. The governor shall not convene such a special session within 30 days after the end of a regular session except in the case of an emergency such as:

(a) A disaster substantially affecting the state;

(b) A request by the President of the United States; or

(c) A violation of the constitution of the State of Nevada which threatens the well-being of the state.

Assemblyman Bogaert moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assemblyman Sader moved that the Assembly recess subject to the call of the Chair.

Assembly in recess at 11:05 a.m.

ASSEMBLY IN SESSION

At 11:12 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 32 of the 61st Session.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Mr. Speaker announced that in accordance with the provisions of Senate Concurrent Resolution No. 5, the following have been appointed to serve as members of the committee to study the State's program of group insurance; the first-named member being the Chairman: Assemblyman Banner,

Senator Townsend, Messrs. Clarence Heckethorn, Ben Dasher and Robert Gagnier.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Education:

Assembly Bill No. 169—An Act relating to the Western Interstate Commission for Higher Education; changing certain accounting procedures; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 170—An Act relating to programs of nutrition for children; expanding the powers and duties of the department of education with respect to such programs; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 171—An Act relating to school finance; broadening provisions for acceptance of federal assistance for purposes of elementary and secondary education; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 172—An Act relating to instruction in driving; repealing provisions for state financial assistance to school districts for automobile driver education classes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 173—An Act relating to programs of special education for handicapped persons; simplifying the process of applying for benefits under certain such programs; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 174—An Act relating to education; providing for confidentiality of records concerning tests of general educational development, examinations of pupils' proficiency, and applications for

certification as teachers or other educational personnel; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 175—An Act relating to the commission on professional standards in education; reestablishing the commission and making an appropriation for its support; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 176—An Act making an appropriation to the department of education for the processing of accumulated fingerprint cards by the Federal Bureau of Investigation; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 177—An Act making an appropriation to the state board for vocational education for allocation to school districts for the purchase of equipment for vocational education; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 178—An Act making an appropriation to the department of education for allocation to the county school districts and the University of Nevada for the funding of adult basic education; and providing other matters properly relating thereto.

Assemblyman Craddock moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By Assemblyman Malone:

Assembly Bill No. 179—An Act relating to the public service commission of Nevada; changing the manner of the selection of the commissioners from appointment to election; increasing the number of commissioners from three to five; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 180—An Act relating to county clerks; changing the duties of the clerks relating to the satisfaction of judgments, trustees of trusts, executors or administrators of estates, bail bond registers and actions for child support; authorizing the charging of fees to resident agents and persons filing actions for child support; providing a penalty for offenses concerning their records; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly in recess at 11:20 a.m.

ASSEMBLY IN SESSION

At 11:29 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 181—An Act relating to probation; limiting the preliminary inquiry into a violation of a condition of probation to probationers who are held in custody and limiting the persons they may confront and question; transferring responsibility for certain duties respecting the inquiry; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 182—An Act relating to violators of parole or probation; making the expenses of returning a person arrested for violating a condition of his parole or probation a charge upon the state; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 183—An Act relating to department of parole and probation; providing an additional use of the restitution trust fund; transferring certain expenses to the department; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 184—An Act relating to probation; permitting an earlier discharge from probation without honor; changing the conditions for a dishonorable discharge; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 185—An Act relating to paroles; revising the requirements for an inquiry and hearing to determine probable cause for the violation of a condition of parole; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 186—An Act relating to probation; tolling the running of the period of probation during the time when a warrant for violating a condition of probation is in effect; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 187—An Act relating to indigent persons; removing the liability of next of kin to repay a county for hospitalization furnished to an indigent adult; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 188—An Act relating to marriage and family counseling; providing for a requirement for continuing education; increasing certain fees; permitting and proscribing respectively the use of certain titles; creating an evidentiary privilege for certain communications between counselors and their clients; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblymen Stewart, Chaney, Nevin, Stone, Fay, Bogaert, Ham, Malone, Bilyeu, Banner, Joerg, Francis, Kerns, Nicholas, Jeffrey, Vergiels, Brady, Berkley, Perry, Collins, Sader, Dini, Thompson, Beyer, Thomas, Swain, Zimmer, DuBois and Schofield:

Assembly Bill No. 189—An Act relating to crimes against persons; prohibiting the distribution and promotion of pornography involving a

minor; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen DuBois, Malone, Berkley, Sedway, Bilyeu, Nicholas, Marvel, Nevin, Beyer, Craddock, Zimmer, Joerg and Swain:

Assembly Bill No. 190—An Act relating to the justification of inflicting death or injury; enlarging and further defining the circumstances which constitute justification; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Redelsperger, Vergiels, Price, Brady, Zimmer, Joerg, Swain, Getto, Francis, Malone, May, Dini, Bremner, Marvel, Bergevin and Nicholas:

Assembly Bill No. 191—An Act relating to the department of economic development; creating a division to promote the production of motion pictures in Nevada; enacting an excise tax on fuel for jet or turbine-powered aircraft to be distributed for the support of the new division and for the promotion of industrial development in Nevada; and providing other matters properly relating thereto.

Assemblyman Redelsperger moved that the bill be referred to the Concurrent Committees on Economic Development, Tourism and Mining and Taxation.

Motion carried.

By Assemblymen Dini, Getto, Bergevin, Redelsperger, Marvel, Malone and Bilyeu:

Assembly Bill No. 192—An Act relating to required changes in existing structures to enhance fire safety; requiring the board of fire safety to consider the historical value of a building in granting variances; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Sedway, DuBois, Beyer, Jeffrey, Dini and Brady:

Assembly Joint Resolution No. 5—Proposing to amend section 5 of article 11 of the constitution of the State of Nevada, relating to the establishment of schools, by authorizing the legislature to designate legislators as ex officio members of a board created to govern a school or university.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 5 of article 11 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] *Sec.* 5. *1.* The Legislature shall have power to [establis] *establish* Normal schools, and such different grades of schools, from the primary department to the University, as in their discretion they may deem necessary, and all Professors in said University,

or Teachers in said Schools of whatever grade, shall be required to take and subscribe to the oath as prescribed in Article Fifteenth of this Constitution. No Professor or Teacher who fails to comply with the provisions of any law framed in accordance with the provisions of this Section, shall be entitled to receive any portion of the public monies set apart for school purposes.

2. *The legislature may designate one or more legislators to serve as ex officio members of a board created by statute to govern a school or university.*

Assemblyman Sedway moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 1.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 62.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 64.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 92.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 24.

Amend section 1, page 1, by inserting after line 16:

"*3. If the court determines that the defendant did not violate any of the provisions of those sections, it may award the defendant court costs and reasonable attorney's fees.*".

Amend the title of the bill, second line, after "circumstances;" by inserting:

"allowing court costs and reasonable attorney's fees to be awarded to a prevailing defendant;".

Assemblyman Collins moved the adoption of the amendment.

Remarks by Assemblyman Collins.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 152.

Bill read second time, ordered engrossed and to third reading.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Donald Finley and Mrs. Vickie Finley.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ermie Davis and Deanna Robinson.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, February 10, 1983, at 10:15 a.m.

Motion carried.

Assembly adjourned at 11:48 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-FIFTH DAY

CARSON CITY (Thursday), February 10, 1983

Assembly called to order at 10:23 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

Let us Pray. God, Father of us all, pause now to invoke your presence with us, among us and most of all for us. Bless our nation, our state and all of those who govern. Grant each of them the courage and wisdom needed for these days and for this day. Lord, in your mercy, hear our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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

Mr. Speaker appointed Assemblymen May and Kovacs as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Senator Laxalt.

The President of the Senate, the President pro Tempore of the Senate and Members of the Senate appeared before the bar of the Assembly.

Mr. Speaker invited the President and President pro Tempore of the Senate to the Speaker's rostrum.

Mr. Speaker invited the Members of the Senate to chairs in the Assembly.

IN JOINT SESSION

At 10:34 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.

The President of the Senate appointed a Committee on Escort consisting of Senator Jacobsen and Assemblyman Brady to wait upon Senator Laxalt and escort him to the Assembly Chamber.

The Committee on Escort in company with The Honorable Paul Laxalt, United States Senator for Nevada, appeared before the bar of the Assembly.

The Committee on Escort escorted the Senator to the rostrum.

The President of the Senate welcomed the Senator and invited him to deliver his message.

The Senator delivered his message as follows:

Mr. President, Mr. Speaker, members of the court, members of the legislature and invited guests; let me say first of all, it is nice to be back. When I was originally scheduling this, I just couldn't believe that two years had passed since I was last here. I guess it just tells us all that we are in a fast moving world. In looking over my notes as to what we talked about here two years ago, essentially this was at the advent of a brand new administration. I attempted at that time to describe to you the problems that this country and this state faced and what we were going to attempt to do about them. We had an inflation rate which was near obscene, we had an interest rate which was obscene, and we had an overall economic and social condition which wasn't all that desirable. Since that time, the new administration and those of us in the Congress have been working to alleviate those conditions. I wish I could stand here as your Senator and tell you as my fellow Nevadans that we got the job done. We didn't. But we had a reasonably healthy start. I don't think that any of us who were back there had any idea of how far this country had drifted in terms of social and economic policy and how difficult it was going to be to redress that. The fact is that two years later I can say with some degree of accuracy that we have set in place some historic changes in direction.

For those that have the political philosophy of most in Nevada, I think those changes are all for the better. We have attacked frontally the inflation problem which, if you recall, two short years ago was the number one priority in this whole country, in all the surveys, in all the lists that were presented by various politicians at all levels, and that has been fairly exciting. We have moved effectively from what was about a 13.5 percent rate to something now that is probably less than four. Monumental! Very positive! We moved fairly well on the interest rates. They've moved from what was 20 percent, 21.5 percent, in that area, and now they're something a little above ten. Not good enough, but not bad either. In order to accomplish all this, we have attempted in the Congress to work on fiscal austerity programs in order to shape up the overall level of the economy so that the financial markets would respond positively. We frontally attacked the spending programs and, contrary to some of the perceptions created in the country, we didn't move in the area of drastic cuts, certainly not in the social areas. All we did really is attack the increase in the level of spending. We pulled those margins down; pulled those percentages down. We moved very aggressively in the area of tax cuts on the basis of what this country needed in receding, difficult economic conditions. This was not a drag on the economy but rather a stimulus to the economy by way of tax inducements to the business sector and rather substantial individual tax cuts to individuals. We, on the appropriations side, worked very hard in an effort to move on those spending cuts, and we did, I think, fairly well. If you look at the two years, we probably were able to prune out $45 to $50 billion, which even in Washington isn't a small amount of change. But the plain fact of the matter is that when you look back, we are only looking at a portion of the pie. We worked on what we call the discretionary programs. That right now represents perhaps seventeen percent of the total picture. So when you add military, which is almost an untouchable, and then you add the entitlement and transfer programs, we really didn't get at it. That represented, I think, a challenge which really wasn't effectively met, because if you start fooling around with the entitlement programs back there, as well as here—I don't have to tell you this here, I'm preaching to the choir—you know that you are dealing with a lot of potential political difficulties. Be that as it may, I think the directions were fairly decent in those general areas. The tax cuts weren't as effective to this point because they hadn't had a chance. The first year we wanted a full ten percent. By the time it was enacted late in the year on a full annual year basis, it was probably about a percentage and a half. Last year we went the full ten but it was absorbed by rising social security costs, so that was pretty much a wash. I guess the first real test of all that will come this year.

I must say that in the areas that count we have had positive results. I mean by that fundamentally mindset and attitude towards spending. We have realized at long last on the federal level what has long existed on the state and local level, that you have to exercise some degree of fiscal responsibility in relation to your responsibilities as

legislators. This for me was more positive than many, because I can recall going back there a few years ago out of this climate, out of a state which constitutionally mandated a balanced budget, and finding to my chagrin and consternation, that wasn't the way the game was played there. There if you thought in terms of fiscal conservatism in balancing out, you were some kind of neanderthal; you just weren't with it. Pointy-headed conservatives. You certainly didn't get invited to many of the challenging social functions over in the salons of Georgetown, I tell you that. But gradually over a period of time—this didn't really start with the Reagan period. It really started in the hind end of the Carter administration which, in some respects on the fiscal side, was the beginning of a more conservative approach to national fiscal policies. Now in that town, contrary to the old fashion of being earlier to get bright staff people and conceive and implement a very expensive federal program, you go home and tell your people, this is what I brought home to you, millions and millions and sometimes a few billions of the federal larder—and I was able to bring that home to you from Washington. This no longer happens because the plain fact of the matter is the last two years there wasn't one substantial spending program seriously considered in the Halls of Congress. Not one! Now that's progress for you. We had one that was proposed by Dick Luger, if you'll recall, when we were having the difficulties we continue to have in the housing industry, and he proposed a package that was about $5.5 billion mainly in the form of guarantees. In the old days this would have been a throw away item, probably a floor amendment, but it was the subject of extensive debate on the floor and in the committees, and it finally didn't make it even though it was proposed by a rather conservative Republican Senator from Indiana, who had a lot of support. It didn't make it. So what I am telling you is that the attitude and mindset back there is wholly different than it was. I must say that as proof positive of this, as I have told other groups since I have been here, when I see my buddy, Ted Kennedy, in committee and on the floor, preaching fiscal responsibility, I figure we have come a hell of a long way. We realize, coming into this year, that much more had to be done. We have proceeded with our usual budget deliberations in November and December. They aren't essentially different than they are here. A President goes through the same process, the departments come in with their presentations, the President reviews them, they appeal the determinations to him very often, and he has to call those administrative shots. I was privy to the first cut, so to speak. We met after the first of January where we took a look at the budget picture as it existed then, after all the agency presentations and the determinations by the President. This was reportedly a highly confidential meeting held in the White House, in the residence, which isn't all that common for a meeting place. We met there as Republican leaders for the purpose of sitting down and realistically seeing where we really were. Stockman and Regan were there, and all the financial people on the Senate side. They presented to us, I'll never forget it, the sealed envelopes—top secret, for our eyes only—and I could hardly wait to get out and open it up to see what these great confidential figures were for our eyes only. I opened it up and looked at it, and I'll be darned if those weren't the exact figures I saw in the Washington Post that morning. So much for White House security.

But anyhow, those figures were absolutely frightening. You couldn't believe it! On the basis of no changes, economic, fiscal and tax changes, if you can believe it we were looking at deficits probably around $210 billion for the next fiscal year. Worse than that, we have this ludicrous system where you have to spread five years where you can't actually predict one year in advance—that is existing law which we are going to have to change, I think—looking out in that fifth year to deficits, there were maybe 300 to 325, can you believe that? Well, we looked at that and I'm telling you everybody's heart sunk around that place, particularly the President of the United States. Isn't it the greatest irony that you have a Ronald Reagan, probably the most conservative fiscal President in the history of this country, sit down after two years of presidency and be looking at these deficit numbers. It is the greatest irony that one can conceive. But upon analysis you find out that what happened here with the gathering together of political economic events over which there wasn't any particular control, because part of that was attributed to the fact that this administration has been far too successful in the battle on inflation. There is no greater beneficiary of high inflation rates than those of us in government, right? Whether you're here or there, you've suffered from that; that's the reason your figures aren't all that hot. Certainly the federal government dealing in the numbers that it does is by far the greatest beneficiary. When you come down from a 13.5 percent rate to less than four, the result is obvious; you have had a tremendous shrink in revenues. Then you had a recession that was much deeper and longer than

anyone expected with the attendant loss of revenues coming out of the economy generally. Then we had interest rates that hung on far longer than any of us would ever estimate. So the combination of those factors, plus throwing in unemployment at a rate that no one believed would go as high as it did, all combined to give you tremendously terrifying deficit numbers. Bear in mind that at the existing rate one point on interest with the debt that we now have probably represents $11 billion. One point! Do you know, at the present level, what one point unemployment costs us as taxpayers in this country presently in terms of lost revenue and the benefits we have to pay out? Thirty billion dollars! Now those numbers are just astronomical, and when you have a recurrent unemployment situation and you have continuing high interest, you very quickly get into very, very serious difficulties and that's essentially where you are. So it was obvious that something had to be done. Where do you move? Well, all of us had an idea that this President could not afford to take that budget as he saw it without drastic policy changes, and that is essentially what came out of that meeting. We had one difficulty, I must say, at that particular meeting in terms of the defense budget. It was big, terribly big, in excess of $250 billion, and whenever you want a target in Washington in terms of cuts, defense is always the favorite baby. This presents a very difficult policy consideration for all of us, because the plain fact of the matter is in the '70s we didn't keep up. In terms of conventional forces and strategic forces we have lagged behind. That's quantitative.

No one will ever tell me that the Soviet has it over us qualitatively, but the fact is that those balances have moved to the point that we were losing leverage in sessions we were having in Geneva, and we were certainly losing leverage in the event of that inevitable summit meeting where Ronald Reagan will hopefully sit down with Andropov and they will do something meaningful about arms control. So you sit down and wonder what to do about a defense budget, recognizing that the political reality aside from all of our other responsibilities of political reality and the Halls of Congress dictate, there is no way you are going to achieve any additional social cuts unless you give a little on defense. This is that very unpleasant package that the President of the United States was left with in the early part of January to be resolved, if you please, by the end of the month. So he came, as all of you know, with what I thought was a rather bold and courageous State of the Union message, and a bold and courageous budget message. What he did essentially is attack the "sacred cows" because we dealt fairly effectively on the discretionary side, as I said, but for all intents and purposes left the entitlement transfer programs untouched. And for all intents and purposes hadn't done all that much in military, so he came frontally, $55 billion off of military over five years, hopefully not reducing us to the point that we are fooling with force structure, and I don't think it will. Then moving frontally on a freeze on federal salaries and on federal programs, freeze almost totally. There are some exemptions but not essentially that. Then providing a reform on the whole entitlement welfare areas, we have a hike in degree of contribution in Medicare. We have different eligibility standards on food stamps which we need, but they are out of hand. I remember when we first started food stamps at about a $3 or $4 hundred million level. Everyone thought then that under the worst of conditions, it would cap out at about a billion. What is it now? Thirteen? Fourteen? Out of hand. So you can fool around with all the fixed costs you want but let's get a handle on these entitlement programs. Believe me, that budget is out of sight. So he moved on it.

He also provided, to the consternation of many of the conservatives in our camp, for a standby tax. We caught some flack on taxes last year. As conservatives, that's not supposed to happen. You're not supposed to tax people. Wouldn't we all love to have conditions where we never had to tax people. It would be nice to be in this business and constantly declare dividends, but sometimes you have to face reality, too. Last September we faced this tax situation. Those numbers were so bad that we had readings from the street—the financial markets in both New York and Los Angeles—that unless we did something about those so called "out years" in terms of additional revenues, those interest rates could reverse on us. So we plugged in $98 billion in additional revenues coming from a conservative Republican President. For all those who say Ron Reagan is inflexible, intransigent, and all the rest of it, that one act alone should serve to indicate that when compelled to do so he will deal with political reality even to the standpoint of coming with additional taxes. In that framework and for the same reasons there was built into this package a standby tax. Why? Number one, again, to allay the concern of the financial markets about those huge deficits in those out years, beauty being in the eyes of the beholder, and a number of our supply-side advocates saying "Hey, these numbers are

all too conservative. Instead of a four percent growth, we are going to have six, seven or eight." Fine, if we do, we won't have to trigger in those taxes. That's it, but if this economy doesn't grow to the extent that we all hope it does, then we are going to plug in that additional money which is triggered only in the event that our deficit is a given amount, and it's triggered only if the Congress satisfied certain cut demands. That essentially is the state of the package that was presented and, I must say, received, in great contrast to last year's budget which was almost rejected out of hand, fairly well on both sides.

Now the question remaining to be answered right now is what happens from this point on? Well, obviously the process indicates negotiation and eventual compromise. None of us are so fanciful to think the package as submitted is going to be accepted by the Halls of Congress precisely as Ron Reagan wants it. It doesn't happen that way; it doesn't happen in Washington, D.C., it doesn't happen here in Carson City, at least it didn't during the time I was governor here, and I assume that conditions haven't changed. In any event you are going to find certain items that are nonnegotiable: third year tax cut, nonnegotiable. Now if this Congress sees fit to roll Ron Reagan, he's going to veto it. Simple as that, and we tell our Democrat colleagues, don't fool with it because if you do that, you are going to have a veto back and we are going to have that veto sustained. That's a political fact of life. There will be some concessions made above the $55 billion that Cap Weinburger cut out of defense. I think there will be more. Our own majority leader, Howard Baker, has indicated that we should probably do twice that. The plain political facts are, again when we face those social cuts, that we may have to give more on defense. I hope it isn't to the point that we are going to be fooling around with our national security. I hope that will be the case. I don't think it will come out of force structure. There is a lot of discussion now about an overly heavy commitment to NATO; overly heavy commitments in places like South Korea. Searching questions are now being raised, "Hey listen, we grandmothered and grandfathered this thing for the last 40 years, isn't it about time that some of these other countries assume a little more of the share and burden?" There is a lot of that discussion coming in so whether that will all come down, I don't know. I would think that some of the defense weapons systems may be in jeopardy. B-one is shakey, and our old buddy MX is really shakey. As you know, most of us have supported the system, the missile itself. In December we considered, under the worst political circumstances you could ever conceive, the basing mode that was recommended, Dense Pack, which had a concentration in a small area based on some exotic theories that if they came with the first impact, the reverberations would be such that they couldn't take out all of our missiles. I sensed pretty quickly that this Dense Pack was in serious difficulties in the Halls of Congress when it finally, after about two weeks, started to be known as "Dunce Pack". All of us know that once any program, even weapons systems, becomes an object of ridicule, you are in deep trouble. As a result of that, Dense Pack for all intents and purposes may be buried. We are in a commission situation now which was extended yesterday for a month and will have some alternative recommendations.

I hope that they come back with the recommendations that we made a year ago when we recommended to the President that the system recommended for Utah and Nevada simply didn't make any sense. That system had 46 hundred shelters with 200 missiles rotating between them so that if the Soviets came in, hopefully our missiles would be in a shelter they didn't hit. Until we conducted the hearings and based upon our own defense intelligence, most of it classified, we came to the conclusion, which they conceded to within the Pentagon, that the Soviets then a year ago had a capability and had in place 10,000 warheads. As a matter of simple mathematics that even a dumb sheepherder from Nevada could understand, if they had 10,000 warheads they could certainly take 46 hundred of those and knock out all of our 46 hundred shelters and it really didn't make any difference where the 200 missiles were. The Pentagon and the President accepted that simple logic and that was the end of MPS and that was the end of a great burden for both of our states.

What will come out of all this now, I don't know. Maybe they'll have smaller missiles. I hope they come back and put MX where we originally contended they should be put, in the existing holes, the minuteman holes. We've got 400 of those that can be retrofitted to take those missiles. It is going to be interesting for all of you to watch the progress of the whole defense posture during the course of this situation. There are cynics in Washington and elsewhere that say nothing will happen this time. This will be a year of confrontation. I don't accept that. Just in talking with leaders on the House side,

like Tip O'Neil and Danny Rostenkowski, and knowing what is going on on our side, I really think that we probably now have properly in place a decent attitude of mutual cooperation, so that this year we can act like good Americans rather than hack politicians. I think that is essentially our challenge there. Now some would say that's not going to happen. Well, it came awfully close last year. I participated in a meeting with leaders of the House, the Senate and the White House, and we fashioned together a bi-partisan package doing all these various things on the cut side including defense, pumped in enough revenues and that was acceptable to 17 leaders. Now we brought that to their attention and held that historic summit meeting with the two Irishmen of the President's Office in the Capitol, and I, with great honor, participated in that meeting. I went into that meeting thinking this is going to be historic. When you get the President of the United States and the leader of the Democratic party to agree on this compromise in an election year we could do what's required and really solve the basic economic problems. I wish you could have participated in that, because the first half hour or longer was devoted to a discussion on the part of the two Irishmen as to who was accountable for the economic ills of the country. Of course, Tip said it's your lousy supply-side program, (I'm cleaning it up a bit,) and, of course, Mr. Reagan pointed back to 40 years of fiscal neglect and all the rest of it. We finally got rid of all the rhetoric and we decided to look at the package. One of us suggested we should first discuss Social Security, and Tip said "No way, Social Security is not on this table." Well, without Social Security on the table, there was no point in going further, and I sensed that poor Tip felt that if we sat down at that meeting and discussed Social Security, a big trapdoor would open and Tip would be gone forever. We would never see him again. So that took care of that package, and we were able to use a lot of homework later in fashioning some of the work that we did in December. The reason I cite that story to you is that in an election year, the leadership on both sides and the White House literally got to the one-yard line. I sense that here we have the same essential ingredients in place. I also sense that if we can work accommodation in these general areas, we will get a reasonable compromise in all these economic areas. I sense that we are that close.

The biggest problem besetting us now, philosophically more than anything else, obviously is unemployment. What do you do about it? We certainly, many of us, and I think most of the people in Congress would say, we won't go back to the quick-fix days where we pump just billions of dollars of federal money into make-work public service jobs. Everyone who looks at those numbers would concede that doesn't work. So the obvious and logical thing to do is let the economy proceed now, and it looks very good, in its normal course so that eventually private sector will grow to the point that we absorb these people and take care of them. That's what we want to do. You can be the biggest optimist in town, but that is not going to take care of it short term.

I don't know if any of you saw the program several days ago. I happened to see it on network television, about some 12,000 people in the bitter cold in Minneapolis, up all night long applying for 200 jobs. That wasn't ghetto Los Angeles or Washington or Philadelphia. That was Minneapolis, the heart of the midwest. These are people of the central economic class who want to go to work but can't get jobs. If that type of thing doesn't touch you, I don't know what does. We in government, it seems to me, in those circumstances have some form of short term responsibility. So I suspect that eventually we will work something out. We fashioned together a program of incentives to the employers-voucher plans, tax credits and all the rest of it. Where we are apart essentially now is on public service jobs which Tip O'Neil and the House Democrats want. Maybe we're going to have a falling out over that. Where the area of accommodation will be, it seems to me, is jobs that the federal government requires; construction jobs that will eventually be completed in the private sector. We've got a lot of room there because we've got a lot of jobs, buildings, bridges and all kinds of improvements, that are presently scheduled for 1985-86 and beyond. We just have to accelerate them, that's all. It won't cost us any additional money. Just accelerate them, put them on the boards now, and let those contracts out to bid so we can alleviate that intermediate unemployment concern. I hope that before the next three or four weeks are out, we will be able to fashion together a job's program that makes some sense. So what I am saying to you is that progress has been made. There's a lot more to be done, but I see in place in the Halls of Congress the proper attitudes, the proper mind-sets to get much of this done. But I have noticed also, working very closely as I have, that we in Congress, and perhaps we in government generally, place too much emphasis about our ability as politicians to wave some kind of magic wands and somehow in the process take care

of the economic woes in this country. I think very important is that the equation, as I deal with it more and more, is greatly exaggerated. Even Paul Volcker, you know he is supposed to be the High Lama of interest rates, and he just opens that valve or shuts it down and the money supply dictates where the interest rates go. To some extent that's true, but the plain fact of the matter is that those interest rates depend on the law of supply and demand like any other product. If we are in short supply out there in relation to the credit demand, the interest rates are going to go up, or conversely. So we sit there, Volcker and those of us in Congress, and we think we have the keys to the economic kingdom. We don't. What has been ignored in this whole process, it seems to me the last couple of years, is that the real component, the thousands perhaps millions of the small business people out there in the private sector and consumers have not been playing the game. They just haven't. There is all kinds of money in this country. I don't have to tell you that. Right now, even though money markets have come down because the banks have moved into the action, we probably have an excess of $200 billion sitting there alone. We've got billions and billions of dollars in this country which should be in the economy working for us but aren't because millions of people are sitting on the bench, consumers who are work-threatened or who are out of work, many others who are waiting for a better deal or better interest rates. We've got thousands of CEO's. They don't like to hear me say this but I tell it to them whenever I speak to them around this country. They haven't been playing the game. They have been sitting for two years playing short-term interest gain. They go out into the financial markets, they have been putting billions of dollars out at 16 or 17 percent, less lately. They go to their boards at the end of each quarter and tell them what great guys they are because the bottom line looks beautiful, no risk attached; but that does not help the economy. So these CEO's by the thousands around the country have to come to recognize that if we are going to get this job done, they better get in and play the game. I sense now, looking at some of the numbers and some of the things we were seeing in the last few weeks, that they will now because it is not all that advantageous to go into short term at 10 or 11 percent. If this can all be brought together, I think the ingredients are finally present. This is so important to you because we're all in partnership here; we don't do things in isolation in Washington nor do you in Carson City. Whatever one does directly impacts upon the other, but I think we are now very near the place where we can finally put together a stable economy in this country, something we can rely on in terms of future inflation rates and something we can rely on in terms of the future of interest rates. I think the day that this happens the country is going to be all the better for it because we have dealt with a cyclical and an artificial economic climate for a good 40 to 45 years. We are now paying the piper. We realize even in Washington, D.C. having printing presses that we don't have the luxury to constantly run into debt in the fashion that we are. Our national debt presently is well over a trillion dollars, can you believe that? Do you know what the interest alone this year is going to be in this budget? Probably $140 billion for interest alone on the national debt. That is probably 140 times what you are going to be appropriating this time. 140 times, and that is what we have in one single item. I tell you I don't know what's going to happen, and it can't happen until this economy gets going. We are going to have to address that number one "sacred cow" in time. We cannot permit this country to continue accumulating a national debt in these numbers and continue to accumulate those interest numbers. That's going to have to be faced during this decade. But overall, I think with the combinations that are present we have the ingredients for positive economic success. I, as your Senator, feel better than I have ever since I've been back there about the potential for economic success. I think it is all for the better. These have been difficult times for all of us, but I think out of all this difficult exercise there comes some obvious recognitions. Governments have to live within their means. They just have to. They are no different than individuals. The compounding effect where the governments on every level, not only us but you, are getting to the point that they absorb 50 percent of the people's money, you can't do that, because, say what you will about the government, it is not productive. It's simply not productive. It does not generate any goods and services that contribute to that GNP. I think you got that recognition finally that you have to pull in your horns and live within your means. We also have come to a very basic recognition that you cannot constantly take from those who are productive in our society and pay the taxes and shift that burden to the nonproductive elements. Can't do it because, the plain fact of the matter is, that it has gone completely out of kilter in the last 30 or 40 years. The essential problem in all these transfers is that we have developed the monster in terms of these

entitlement programs. We have thousands and thousands of people in this country today who have gone on retirement and make more in retirement doing nothing, if that is what they choose to do, than people on full time jobs. We've got thousands of retired military people sitting out there making more money than the people doing the job out in the field. Can't have that. That's a horrid social situation and an even worse economic situation so we have got to retilt this; we've got to stop being political prostitutes, and pandering all those people who we think are going to vote for us because we are doling out money to them. That ball game has to be over. So I think that is where we are, and as wrenching as it has been for private business, as difficult as it has been for all of us in government, I think we are all going to come out of this better.

We went into this exercise fat and flabby but we're going to come out lean and "muscly," and I don't care if that applies to government, it is going to apply to private business because everywhere around this country the people I talk to say "Listen if I get through this with my business, it is going to be a far better, more efficient business for it. I am going to have a higher quality product and I am going to come out of it better." I think that is going to apply to the Federal Government as well. So what I am saying to you is that I think the storm clouds are receding in Washington, D.C., and I hope they are here in Carson City.

I think that we've got an exciting several months together. I look forward to working with you for the betterment of our country and certainly the betterment of this wonderful state. Thank you very much.

Senator Raggio moved that the Senate and Assembly in Joint Session extend a vote of thanks to the Senator for his timely, able and constructive message.

Motion carried.

The Committee on Escort escorted the Senator to the bar of the Assembly.

Assemblyman Dini moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 11:16 a.m.

ASSEMBLY IN SESSION

At 11:21 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 20, 22, 23, 25, 66, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 9, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 8.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 8.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Senate Joint Resolution No. 3 of the 61st Session.

Resolution read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 1.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Assembly Bill No. 1:

YEAS—42.

NAYS—None.

Assembly Bill No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 62.

Bill read third time.

Remarks by Assemblyman Bourne.

Roll call on Assembly Bill No. 62:

YEAS—40.

NAYS—None.

Not voting—May, Stewart—2.

Assembly Bill No. 62 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 64.

Bill read third time.

Remarks by Assemblyman Bourne.

Roll call on Assembly Bill No. 64:

YEAS—41.

NAYS—None.

Not voting—Stewart.

Assembly Bill No. 64 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 88.

Bill read third time.

Remarks by Assemblyman Kovacs.

Roll call on Assembly Bill No. 88:

YEAS—42.

NAYS—None.

Assembly Bill No. 88 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 152.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 152:

YEAS—42.

NAYS—None.

Assembly Bill No. 152 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 11:34 a.m.

ASSEMBLY IN SESSION

At 11:42 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini, Getto, Bergevin and Marvel:

Assembly Concurrent Resolution No. 6—Memorializing the late Louis J. Isola.

WHEREAS, Louis J. Isola was a native of Lucca, Italy, who immigrated to the United States after World War I, settling in Yerington; and

WHEREAS, After several years of working in butcher shops and slaughterhouses, he opened his own business, the Peoples Packing Company, which was to become the largest establishment of its kind in Nevada; and

WHEREAS, Mr. Isola was highly regarded as one of Nevada's pioneers in the cattle industry; and

WHEREAS, The University of Nevada College of Agriculture will forever be indebted to Louis J. Isola for his guidance and assistance in designing facilities at the university; and

WHEREAS, Mr. Isola was always willing to share his vast knowledge and experience with others, from professors in the university system to 4-H clubs across Nevada; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the members of this body mourn the loss of a man whose spirit represented Nevada; and be it further

Resolved, That a copy of this resolution be transmitted by the legislative counsel to the late Mr. Isola's widow.

Assemblyman Dini moved the adoption of the resolution.

Remarks by Assemblymen Dini, Getto, Marvel and Bergevin.

Assemblyman Jeffrey requested that the following remarks be entered in the Journal:

ASSEMBLYMAN DINI:

Mr. Speaker, Mr. Isola was a very close friend of many of us in this house, and especially those from the rural areas, but also in Washoe County. His accomplishments were as volunteer to the University School of Agriculture and to the 4-H groups throughout the State of Nevada. He came here as an Italian immigrant from the same part of Italy that my parents came from, from people who are in the meat business in Italy. He came to Nevada and, where my establishment presently is located, operated a meat market during the depression and prohibition when liquor establishments were not permitted. He opened up the People's Packing House in Yerington. He made it the biggest meat packing house in the State of Nevada. Nobody has been able to run it at a profit since he got out of the business about 10 years ago. He also was renowned for his ability to buy beef on the hoof. I think Mr. Marvel and Mr. Bergevin can relate to the fact that he was probably the sharpest "on the hoof" buyer there has been in the State of Nevada for the last 40 years. His death is a great loss to the University. On McCarran Boulevard there is a meat packing house that was built many years ago. He personally designed that meat packing house and helped in the supervision of the construction of it. His other efforts for the young people of the State of Nevada will never be forgotten. I urge you to concur with us in adopting this resolution. I am sure there are other Assemblymen who would like to speak.

ASSEMBLYMAN GETTO:

Mr. Speaker and fellow legislators: I, too, am going to miss Louie Isola. Our paths crossed many times throughout the state. As my colleague has stated, he had a true interest in young people and in agriculture. I served with him as a co-member of the 4-H Junior Livestock Show Board, and I feel that I gained a great deal from meeting with him and working with him. I also served with him on the Citizens Advisory Committee to the College of Agriculture. Again, I learned a great deal from Louis Isola, a man who loved Nevada and liked the youth of this state. We are all going to miss him, but we all have fond memories of this man.

ASSEMBLYMAN MARVEL:

I have to concur with Mr. Getto and Mr. Dini. Louie Isola was certainly a very close friend of mine. As Joe has stated, he was perhaps one of the most acute livestock buyers the State of Nevada has ever witnessed. Although Louie was born in Italy, or the Old Country, as he liked to refer to it, he certainly was a citizen of this country, one of the finest citizens the State of Nevada has ever had. Louie always worked in a rather low profile, but whenever you needed someone to do a job, Louie was the man that you called upon.

ASSEMBLYMAN BERGEVIN:

Mr. Speaker, I would just like to add a couple of words to what the previous speakers have said. I have had the privilege of knowing Mr. Isola for at least 35 years, and perhaps better than some, inasmuch as Mr. Isola worked on our ranch when he first came from the old country. Working on our ranch was the first job that Mr. Isola had. For a period of almost 30 years, we never sold a head of cattle off our ranch but what Mr. Isola bought them. Every deal with Mr. Isola, whether it was for a dollar or a hundred thousand, was a hand shake. And that was as far as it went. He was a man of great integrity, honesty and a true American in all respects. Thank you.

Resolution adopted unanimously.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Concurrent Resolution No. 5; Senate Concurrent Resolution No. 8.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Paloolian, Messrs. Murkovich, Gladding and students from Virginia City Jr. High School, Virginia City, Nevada: Allison Goeres, Julie Hills, John Norton, Brian Mullin, Gary Broadway, Phyllis Martin, Steve Knowles, Jim Gibbons, Dean Hatey, John Herman, Billy Myer, Kevin Holloway, Bryon Mills, Kim Ayer, Dave Ballard, Siva Dacra, Marty King, Connie Jacobson, Roneen Brimer, Michael Cleries, Dave Fale, Lance Gabler, Christa Goeres, Shawn Harrison, Jill Hess, Mark Hess, Dorothea Hibbard, Tami Lennon, Kenny Mix, Gary Morrill, Johnny Works, Christy Conners, Debbie Pecararo and Ray Williams.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Valen Nystedt and Lock Piatt.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Patsy S. Redmond and Elma J. Turner.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Karole Morgan and Lisa Nicholas.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Dorothy Kidd.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Priscilla Olguin Maldonado.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gary Pierson and students from Austin High School, Austin, Nevada: Tanya Campbell, Stephen Lani, Joe Ramso, Rey Johnson, Tina Rubert and Shendry Rusert.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, February 14, 1983, at 11 a.m., and that it do so in memory of Abraham Lincoln.

Motion carried.

Assembly adjourned at 11:55 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE TWENTY-NINTH DAY

CARSON CITY (Monday), February 14, 1983

Assembly called to order at 11:03 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblyman Perry, who was excused.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all, on this day when love is so highly honored, we pause in remembrance of all those who have honored *us* with their love. For loving parents and grandparents, sons and daughters, husbands, wives—for colleagues and friends, even with those whom we have not always agreed, but who nevertheless have loved us through it all—we offer up our thanks this day. But most of all on this day we pause to remember how much you have loved us over the years. We thank you for that above all else, God. Now we would again ask, before continuing the work of this day, that you bless our nation and our beloved state, our president, our governor and the leadership of this assembly, and all who seek to serve here, and for Bob Thomas we ask a happy birthday and many, many more. Lord in your mercy, hear our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 51, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 77, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 153, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 92.

Bill read third time.

Remarks by Assemblymen Collins, Chaney, Swain, Dini, Stewart, Kovacs and Fay.

Roll call on Assembly Bill No. 92:

YEAS—40.
NAYS—Chaney.
Absent—Perry.

Assembly Bill No. 92 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 3 of the 61st Session.

Resolution read third time.

Remarks by Assemblyman Getto.

Roll call on Senate Joint Resolution No. 3 of the 61st Session:

YEAS—40.
NAYS—Thomas.
Absent—Perry.

Senate Joint Resolution No. 3 of the 61st Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 10, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 57, 58.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 38.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTION AND NOTICES

By Assemblymen Jeffrey, Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Joerg, Kerns, Kovacs, Malone, Marvel, May, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Vergiels and Zimmer:

Assembly Joint Resolution No. 6—Memorializing Congress to remove the limits on subsidized bonds for housing.

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered first reading, rules further suspended, resolution considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

By the Committee on Legislative Functions.

Assembly Resolution No. 5—Providing for the appointment of an additional assembly attache.

Resolved by the Assembly of the State of Nevada, That Jane Dunne is elected as an additional attache of the assembly for the 62nd session of the legislature of the State of Nevada.

Assemblyman Jeffrey moved the adoption of the resolution.
Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Nicholas, Banner, Kerns, Nevin and Malone:
Assembly Bill No. 193—An Act relating to occupational diseases; requiring counseling regarding ways of living detrimental to health as part of the required physical examinations for police officers and firemen; and providing other matters properly relating thereto.
Assemblyman Nicholas moved that the bill be referred to the Committee on Labor and Management.
Motion carried.

By Assemblyman Marvel:
Assembly Bill No. 194—An Act relating to mining claims; reducing the requirements for marking the boundaries of a claim; removing duplicative provisions; and providing other matters properly relating thereto.
Assemblyman Marvel moved that the bill be referred to the Committee on Economic Development, Tourism and Mining.
Motion carried.

By the Committee on Ways and Means:
Assembly Bill No. 195—An Act making an appropriation to the division of water resources of the state department of conservation and natural resources to pay for certain costs of litigation and for consulting independent experts; and providing other matters properly relating thereto.
Assemblyman Bremner moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

By the Committee on Ways and Means:
Assembly Bill No. 196—An Act making an appropriation to the office of the lieutenant governor for hosting a meeting of the National Lieutenant Governor's Conference; and providing other matters properly relating thereto.
Assemblyman Bremner moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

By the Committee on Ways and Means:
Assembly Bill No. 197—An Act making a supplemental appropriation to the department of economic development for support of The Nevada Magazine; and providing other matters properly relating thereto.
Assemblyman Bremner moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Senate Bill No. 38.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Senate Bill No. 57.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.
Motion carried.

Senate Bill No. 58.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.
Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 20.
Bill read second time and ordered to third reading.

Senate Bill No. 22.
Bill read second time and ordered to third reading.

Senate Bill No. 23.
Bill read second time and ordered to third reading.

Senate Bill No. 25.
Bill read second time and ordered to third reading.

Senate Bill No. 66.
Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 6.
Resolution read third time.
Remarks by Assemblymen Jeffrey and Dini.
Roll call on Assembly Joint Resolution No. 6:
YEAS—40.
NAYS—None.
Absent—Bergevin, Perry—2.
Assembly Joint Resolution No. 6 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:
Assembly Bill No. 198—An Act relating to taxation; providing for closed sessions for appeals to the Nevada tax commission at the taxpayer's request; removing penalties for the release of information in other appeals; and providing other matters properly relating thereto.
Assemblyman May moved that the bill be referred to the Committee on Taxation.
Motion carried.

By the Committee on Taxation:
Assembly Bill No. 199—An Act relating to cigarette taxes; authorizing the department of taxation to charge for actual costs of revenue stamps; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 200—An Act relating to local governmental finances; requiring the department to compel the submission of proposed plans of correction for violations which were reported in annual audits; extending the time for a hearing by the Nevada tax commission on those plans; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 201—An Act relating to the appraisal of property for taxation; removing an obsolete provision which provided an exception to the requirement that appraisers be certified; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 202—An Act relating to the state board of equalization; removing a requirement for publishing notice of any meeting to be held at a place other than Carson City; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 203—An Act relating to local governmental finance; increasing limit on annual expenditures by special districts which may petition for an exemption from the Local Government Budget Act; requiring such districts to file quarterly reports; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 204—An Act relating to the collection of taxes; empowering the department of taxation to lock and seal a place of business if the proprietor lacks the appropriate permit or license and to seize and sell property of a person who has failed, over specified period, to pay excises due for his business; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 205—An Act relating to laetrile and Gerovital H3; providing definitions for taxation of gross receipts from manufacturers' sales; and providing other matters properly relating thereto.

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

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Thelma Sanders.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. David Lowe.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Ann Ewing.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carolyn Fisher and Mr. Larry Fisher.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. Delmar Snider.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, February 15, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:53 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTIETH DAY

CARSON CITY (Tuesday), February 15, 1983

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Marvel and Perry, who were excused.

Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all,

We pause now to call upon you and to ask that you be truly present here among us. Grant all those who now gather here to represent and to serve the people of our state wisdom, courage and understanding sufficient for the tasks of this day.

Give us now your blessing, O Father, and hear our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Brady 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 102, 103, 107, 108, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 42, 43, 63, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 14, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 6.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 74, 78.

Also, I have the honor to inform your honorable body that the Senate on this day passed as amended, Senate Bill No. 17.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 39 of the 61st Session.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 7.

MAE LOFTHOUSE
Assistant Secretary of the Senate

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

Assembly in recess at 11:07 a.m.

ASSEMBLY IN SESSION

At 11:08 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Judiciary:

Assembly Concurrent Resolution No. 7—Authorizing expenditure from the legislative fund for travel allowances and per diem expense allowances to members of three committees to attend a hearing in Las Vegas, Nevada.

Assemblyman Stewart moved the adoption of the resolution.

Remarks by Assemblyman Stewart.

Resolution adopted unanimously.

By the Committee on Judiciary:

Assembly Concurrent Resolution No. 8—Encouraging the supreme court to take prompt action to adopt rules allowing lawyers to place certain money of their clients into interest-bearing trust accounts whose interest would be transmitted to a nonprofit, tax exempt foundation for the financing of legal services for the poor.

Assemblyman Stewart moved that the resolution be referred o the Committee on Judiciary.

Motion carried.

Senate Joint Resolution No. 39 of the 61st Session.

Assemblyman Brady moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 7.

Assemblyman Brady moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 206—An Act relating to grand juries; permitting their impanelment for a limited purpose; permitting their discharge at any time; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 17.

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

Motion carried.

Senate Bill No. 74.

Assemblyman Brady moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 78.

Assemblyman Brady moved that the bill be referred to the Committee on Commerce.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Concurrent Resolution No. 4, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 24, 110, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Francis, Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Getto, Ham, Jeffrey, Joerg, Kerns, Kovacs, Malone, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Vergiels and Zimmer:

Assembly Joint Resolution No. 7—Inviting the Chief Justice of the Supreme Court to visit the City of Las Vegas.

Assemblyman Francis moved that all rules be suspended, reading so far had considered first reading, rules further suspended, resolution considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assembly Concurrent Resolution No. 4.

Assemblyman Price moved the adoption of the resolution.

Remarks by Assemblyman Price.

Resolution adopted unanimously.

SECOND READING AND AMENDMENT

Assembly Bill No. 51.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 77.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 153.

Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 20.
Bill read third time.
Remarks by Assemblyman Nevin.
Roll call on Senate Bill No. 20:

YEAS—40.
NAYS—None.
Absent—Marvel, Perry—2.

Senate Bill No. 20 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 22.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Senate Bill No. 22:

YEAS—40.
NAYS—None.
Absent—Marvel, Perry—2.

Senate Bill No. 22 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 23.
Bill read third time.
Remarks by Assemblymen Berkley and Dini.
Roll call on Senate Bill No. 23:

YEAS—40.
NAYS—None.
Absent—Marvel, Perry—2.

Senate Bill No. 23 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 25.
Bill read third time.
Remarks by Assemblyman Malone.
Roll call on Senate Bill No. 25:

YEAS—40.
NAYS—None.
Absent—Marvel, Perry—2.

Senate Bill No. 25 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 66.
Bill read third time.
Remarks by Assemblymen Stewart, Thomas and Bogaert.

Roll call on Senate Bill No. 66:

YEAS—40.
NAYS—None.
Absent—Marvel, Perry—2.

Senate Bill No. 66 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Mr. Speaker pro Tempore announced that 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 11:38 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 7.
Resolution read third time.
Remarks by Assemblymen Francis and Beyer.
Roll call on Assembly Joint Resolution No. 7:

YEAS—37.
NAYS—Humke.
Absent—Marvel, Perry—2.
Not voting—Bourne, Nevin—2.

Assembly Joint Resolution No. 7 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Resolution ordered transmitted to the Senate.

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

Assembly in recess at 11:45 a.m.

ASSEMBLY IN SESSION

At 11:46 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Schofield, Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Kovacs, Malone, May, Nevin, Nicholas, Price, Redelsperger, Sader, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Vergiels, Zimmer, Perry and Marvel:

Assembly Resolution No. 6—Thanking Wayne Newton for his

participation in the opening ceremonies of the 62nd session of the legislature and commending him for his contributions to Nevada.

WHEREAS, Mr. Wayne Newton participated significantly in the opening ceremonies of the 62nd session of the legislature on January 17, 1983; and

WHEREAS, Mr. Newton has been entertaining in Nevada for the past 25 years and he has become one of Nevada's most famous and distinguished residents; and

WHEREAS, Not only has he gained recognition as "the most successful performer in Las Vegas history," but his humanitarian contributions have enabled him to be the recipient of several awards including the AMC Humanitarian Award presented by the AMC Cancer Research Center and Hospital, the Freedom Lantern Award given by the Commonwealth of Massachusetts, the Founders Award by St. Jude's Hospital, and he was honored by the National Conference of Christians and Jews as the "Most Distinguished Citizen of 1980"; and

WHEREAS, Mr. Newton has gained national recognition for his involvement in the breeding of Arabian horses on his ranch outside Las Vegas; now, therefore, be it

Resolved by the Assembly of the State of Nevada, That the members of this body warmly commend Mr. Wayne Newton for his contributions in entertainment and thank him for his participation on opening day as well as his other numerous contributions to public service in the State of Nevada; and be it further

Resolved, That a copy of this resolution be prepared and transmitted forthwith by the legislative counsel to Wayne Newton.

Assemblyman Schofield moved the adoption of the resolution.

Remarks by Assemblyman Schofield.

Assemblyman Jeffrey requested that Assemblyman Schofield's remarks be entered in the Journal:

Thank you Mr. Speaker. I think it is altogether fitting that we do express our gratitude for a first, as far as the Assembly and the Nevada State Legislature is concerned. The reason the resolution has not been presented earlier is the fact that I was hoping to have Mr. Newton here on the floor when we introduced this resolution. I think it again is altogether fitting that in thanking Mr. Newton that we do so with a great deal of gratitude. I feel that Mr. Newton has brought to the State of Nevada tremendous accolades. His contributions to various charitable works are great, notwithstanding the fact that he is possibly one of the world's great entertainers and will go down in history. I want to express my appreciation also to Mr. Newton, and I move that the Assembly adopt Assembly Resolution No. 6.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Bilyeu, Vergiels, Marvel, Stone, Francis, Fay, Joerg, Ham, Stewart, Thomas, Bergevin, Malone, Bourne, Kerns, Nevin, Nicholas, Berkley, May, Kovacs, Jeffrey, Humke, Zimmer, Bogaert, Collins, Craddock, Sedway, Dini, Chaney, Thompson, Redelsperger, Brady, Beyer, Price, DuBois, Sader, Coffin, Schofield, Getto, Banner and Swain:

Assembly Bill No. 207—An Act relating to natural resources; authorizing in skeleton form the director of the state department of conservation and natural resources to enter into a contract with the Elko County Recreation Board for the construction of a dam and a park on the South Fork of the Humboldt River in Elko County; specifying certain provisons of the contract; requiring the state board of examiners to issue bonds to provide money for the project up to a specified limit; and providing other matters properly relating thereto.

Assemblyman Bilyeu moved that the bill be referred to the Concurrent

Committees on Natural Resources, Environment and Agriculture and Ways and Means.

Motion carried.

By Assemblymen Sader, Bourne, Brady, Swain, Beyer and Dini:

Assembly Bill No. 208—An Act relating to lobbyists; requiring a lobbyist to disclose in his registration statement any work which he performed for any legislator to aid his campaign for the office; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Sader, Coffin, Bourne, Beyer, Brady and Swain:

Assembly Bill No. 209—An Act relating to elections; prohibiting anonymous contributions and contributions in the name of another person; providing for disposition of such contributions; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Sader, Coffin, Bourne, Brady, Swain, Beyer and Dini:

Assembly Bill No. 210—An Act relating to elections; requiring campaign committees to report contributions made by them; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Sader, Beyer, Swain, Brady and Stewart:

Assembly Bill No. 211—An Act relating to public officers; prohibiting certain officers who perform legislative functions from voting on matters respecting which they have a conflict of interest of a specified kind; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Sader, Bourne, Beyer, Swain and Brady:

Assembly Bill No. 212—An Act relating to elections; requiring identification of all contributors to a candidate's campaign; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Sader, Coffin, Bourne, Stewart and Dini:

Assembly Bill No. 213—An Act relating to public office; enlarging the required disclosure of assets by holders of and candidates for public office; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 214—An Act relating to water; broadening the scope of "standards" for the quality of water; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Dini, Sader, Thompson, Getto, Schofield, Brady, Sedway, Bremner, Beyer, Coffin, Chaney and Jeffrey:

Assembly Bill No. 215—An Act relating to legislators; limiting compensation for attendance of certain meetings; and providing other matters properly relating thereto.

Assemblyman Dini moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblymen Dini, Getto, Redelsperger and Thompson:

Assembly Bill No. 216—An Act relating to individual systems for disposal of sewage; authorizing the health division of the department of human resources and a county or district board of health to grant variances under certain circumstances from statutory requirements concerning the area on which those systems may be installed; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Dini:

Assembly Bill No. 217—An Act relating to the purchase of municipal securities by the state; removing the limitation to those related to natural resources; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Dini, Getto, Stewart, Redelsperger, Schofield, Sedway and Bergevin:

Assembly Bill No. 218—An Act relating to indigent persons; providing for reimbursement of certain costs of hospital care furnished to certain indigent persons injured in motor vehicle accidents; prescribing procedures; creating a fund for hospital care to indigent persons and providing for its administration; providing for the levy of a tax ad valorem to support the fund; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 219—An Act relating to arrests; enumerating additional places where forcible entry or exit may be made; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 220—An Act relating to criminal procedure; allowing the prosecution to call an unendorsed witness under certain additional circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 221—An Act relating to ordinances; lengthening the time required for publishing the notice of filing certain proposed ordinances; amending the city charters in that regard; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Dini and Getto:

Assembly Bill No. 222—An Act relating to water pollution; empowering boards of county commissioners to prohibit the manufacture, sale or use of detergents containing phosphates; and providing other matters properly relating thereto.

Assemblyman Dini moved that the bill be referred to the Concurrent Committees on Natural Resources, Environment and Agriculture and Government Affairs.

Motion carried.

By Assemblymen Getto and Dini:

Assembly Bill No. 223—An Act relating to water pollution; prohibiting the manufacture, sale or use of detergents containing phosphates in counties of the upper Truckee and upper Carson river basins; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Concurrent Committees on Natural Resources, Environment and Agriculture and Government Affairs.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Cuthbert E. A. Mack.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Philip Carr.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Allen Frenzel.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jim Palmer and Mrs. Elizabeth Palmer.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kay Brown, Mr. Wally DeWitt and students from Corbett School, Carson City, Nevada: Shannon Bettridge, Dorena Berry, Jerome Brown, Terry Case, Renee Conner, Katheryn Dall, Samee David, Lee Ann Gonzales, Charles Green, John Henry, Randy Howze, Erin Leahy, Paul McGrew, Christopher Moyle, Robert Munn, Teresa Pierce, Edward Sales, Aimee Strathman, David Vannucci, Julie Wallis, Sheryl Warne, Keith Watrous, Charla Wendel, Heather Williams, Eric Hamilton, Jennifer Beck and Dawna Jones.

Assemblyman Brady moved that the Assembly adjourn until Wednesday, February 16, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:06 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-FIRST DAY

CARSON CITY (Wednesday), February 16, 1983

Assembly called to order at 11:03 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Joseph Pritchard.

Almighty God, in the quiet of these moments, may all our other voices that clamor for attention be stilled that yours may be heard. In the midst of draining duties and demands, help us to be open to the refreshing and renewing power of your spirit. Amid all that pollutes our common life, may our own motives and actions be a cleansing influence in the life of this state. May the deep desire of our hearts be to do justly and to love mercy and to walk humbly with our God.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

Mr. Speaker announced that if there were no objections, the Assembly would recess subject to the call of the Chair for the purpose of a presentation by State Treasurer, Patty Cafferata, of the original Nevada State Constitution.

Assembly in recess at 11:06 a.m.

ASSEMBLY IN SESSION

At 11:12 a.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which were referred Assembly Bills Nos. 126, 128, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 30, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 34, 119, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 140, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 101, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 15, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 49.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 6.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 33, 50.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 34.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 9.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 9.

Assemblyman Thomas moved the adoption of the resolution.

Remarks by Assemblyman Bergevin.

Assemblyman Schofield requested that Assemblyman Bergevin's remarks be entered in the Journal:

I would like to speak a few moments about Mrs. Watson. I have had the privilege of knowing Mrs. Watson for the better part of 60 years; Lawrence Jacobsen, the Senator from Douglas County, and myself, having grown up together in Douglas County and having been through the Douglas County schools. Mrs. Watson was a member of a pioneer ranching family that farmed in Douglas County when you really scratched out your living making just the bare essentials do. They milked a few cows, had chickens and whatnot, and, as you see by the resolution, she raised four sons, one who preceded her in death just a few months ago. She also raised her deceased sister's three children. Mrs. Watson was a pillar in the Trinity Lutheran Church of Gardnerville, and was very active until several years ago when she was incapacitated to the point of having to spend the last years of her life in a rest home. She continued to be fluent and to know everybody until just the last few days.

It is with great pleasure that I speak regarding this resolution for Mrs. Watson.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Stone, Nevin, Bergevin, Jeffrey, Thomas, Nicholas, Fay, Zimmer and Bourne:

Assembly Bill No. 224—An Act relating to the tax on cigarettes; removing special provisions for sales by an Indian to persons not members of his tribe; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 33.

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

Motion carried.

Senate Bill No. 34.

Assemblyman Stewart moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 50.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 24.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 42.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 38.

Amend section 1, page 1, line 13, by deleting "*regulations of the state board*" and inserting "*applicable regulations*".

Amend section 1, page 1, line 14, by deleting "*of health*".

Amend section 1, page 1, line 15, by deleting "*The*" and inserting: "*If a permit to discharge a pollutant is required, the*".

Amend section 1, page 1, by deleting lines 19 and 20 and inserting: "*a permit.*".

Amend section 1, page 2, line 4, by deleting "fund for" and inserting "[fund for]".

Amend section 1, page 2, by deleting line 5 and inserting: "ufactured housing [which is hereby created as a special revenue] fund.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 43.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 37.

Amend sec. 2, page 1, line 8, by deleting "*and*" and inserting "*or*".

Amend sec. 4, page 2, by deleting lines 17 through 30 and inserting:

"Sec. 4. (Deleted by amendment.)".

Amend sec. 14, page 5, line 18, after "*coach*" by inserting: ", *manufactured home*".

Amend sec. 24, page 8, by deleting line 18 and inserting:

"2. For the *:* [construction and assembly of]

(a) Construction;

(b) Reconstruction; and

(c) Alteration, including that done to a plumbing, heating or electrical system,

of".

Amend sec. 24, page 8, line 19, by deleting "*struction of*".

Amend sec. 46, page 19, by deleting line 39 and inserting:

"previously issued. The seller [must also] *shall* furnish one copy *of the report of sale* to the buyer [.] *at the time of the sale. Within 45 days after the sale, the seller shall furnish one copy of the report of sale to the assessor of the county in which the manufactured home, mobile home or commercial coach will be located.*".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 63.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 41.

Amend section 1, page 1, line 10, before "Except" by inserting an open bracket.

Amend section 1, page 2, line 5, by deleting the bracket.

Amend section 1, page 2, line 11, by deleting the bracket.

Amend section 1, page 2, line 12, after "chapter," by deleting "an" and inserting "an] *An*".

Amend section 1, page 2, line 15, by deleting the period and inserting: "[.] *which include:*

(a) Three semester units or an equivalent number of quarter units in real estate law, including at least 15 classroom hours of the real estate law of Nevada, and another course of equal length in the principles of real estate;

(b) Nine semester units or the equivalent in quarter units of college level courses in real estate appraisal and business or economics; and

(c) Nine semester units or the equivalent in quarter units of college level courses in real estate, business or economics.".

Amend section 1, page 2, line 16, by deleting "*5.*" and inserting "*3.*".

Amend section 1, page 2, line 22, after the bracket by inserting: "*This educational requirement includes and is not in addition to the requirements listed in subsection 2.*".

Amend section 1, page 2, line 23, by deleting "*6.*" and inserting "*4.*".

Amend section 1, page 2, line 30, by deleting "*7.*" and inserting "*5.*".

Amend section 1, page 2, by deleting line 36 and inserting:

"[9. The educational requirements of subsections 5".

Amend section 1, page 2, line 37, by deleting both brackets.

Amend section 1, page 2, line 39, by deleting "[10.] *9.*" and inserting "10.] *6.*".

Amend section 1, page 2, line 42, by deleting "*10.*" and inserting "*7.*".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 102.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 103.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 107.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 108.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 110.

Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 51.

Bill read third time.

Remarks by Assemblyman Coffin.

Roll call on Assembly Bill No. 51:

YEAS—42.

NAYS—None.

Assembly Bill No. 51 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 77.

Bill read third time.

Remarks by Assemblyman Chaney.

Roll call on Assembly Bill No. 77:

YEAS—42.

NAYS—None.

Assembly Bill No. 77 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 153.
Bill read third time.
Remarks by Assemblyman Malone.
Roll call on Assembly Bill No. 153:

YEAS—42.
NAYS—None.

Assembly Bill No. 153 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 225—An Act relating to watercraft; increasing the fees charged for certificates of number for motorboats; raising the threshold of property damage in the requirement that an operator report a casualty involving his vessel; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Concurrent Resolution No. 6; Assembly Resolution No. 5.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to students from Yerington High School, Yerington, Nevada: Shad Brown, Les Coleman, Joe Phipps, Sheila Moore, Jennifer Madewell, David Arvizo, Bill Luperi, Amy Randall, Wesley Reid, Dana Ames, David Snyder, Wendy Leverton, Millie Marwin, Kathy Infantino, Shawn Purrell, John Warren, Ed Hamer, Steve Moreda and John Dibble; Messrs. Charles Lawson and Dennis Compston.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ellen H. Pope.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marian McClellan.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Buchan.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Cindy Creighton.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. William Lloyd and Larry G. Bettis.

On request of Assemblyman Berkley, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Brent Adams.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Rick Foster and members of Lake Tahoe Ski Etude, Incline Village, Nevada: Jim Bone, Tom Brunner, Theresa Lester, Sandy Steinmeyer, Raider Larson, Margaret King, Kristen Kasheta, Cory Harding, Wendell Smith, Andy Engstrom, Bob Pike, Brian Marsh, Rob Broyles, Don Eccles and Maria Marquez.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kay Keever.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Harold Chisholm.

On request of Assemblyman Bilyeu, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Pete Ludwig, James Ithurralde and Ms. Bonnie Ludwig.

Assemblyman Stewart moved that the Assembly adjourn until Thursday, February 17, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:41 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-SECOND DAY

CARSON CITY (Thursday), February 17, 1983

Assembly called to order at 11:20 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, Monsignor Leo McFadden.

Almighty God, we call your attention to the proceedings of this assembly, an effort on the part of men and women of good will to guide the progress of this great state. As they pay respect this day to persons who have served this state and community with their sacrifice of time and talent, remind them that they too are ennobled by their sacrifice of time and talent. Remind them in those times when this process might seem so tedious and even useless, that unless we have the services of men and women of integrity, then we are the most pitiable of men. And so, Lord, bless these few who toil for so many.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 20, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 29, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bills Nos. 78, 82, 84, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Assembly Bills Nos. 76, 80, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 79, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 16, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 48, 142.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 21, 24.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Taxation:

Assembly Joint Resolution No. 8—Proposing to amend section 1 of article 10 of the Nevada constitution by authorizing the legislature to provide for exemptions from, credits for or rebates of taxes on real property.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 1 of article 10 of the constitution of the State of Nevada be amended to read as follows:

Section 1. *1.* The legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal and possessory, except mines and mining claims, when not patented, the proceeds alone of which shall be assessed and taxed, and when patented, each patented mine shall be assessed at not less than five hundred dollars ($500), except when one hundred dollars ($100) in labor has been actually performed on such patented mine during the year, in addition to the tax upon the net proceeds . [; shares]

2. The legislature may provide by law for uniform and equal exemptions from, credits for or rebates of the taxes on land or improvements to land, or both.

3. Shares of stock (except shares of stock in banking corporations), bonds, mortgages, notes, bank deposits, book accounts and credits, and securities and choses in action of like character are deemed to represent interest in property already assessed and taxed, either in Nevada or elsewhere, and shall be exempt.

4. The legislature may constitute agricultural and open-space real property having a greater value for another use than that for which it is being used, as a separate class for taxation purposes and may provide a separate uniform plan for appraisal and valuation of such property for assessment purposes. If such plan is provided, the legislature shall also provide for retroactive assessment for a period of not less than 7 years when agricultural and open-space real property is converted to a higher use conforming to the use for which other nearby property is used.

5. Personal property which is moving in interstate commerce through or over the territory of the State of Nevada, or which was consigned to a warehouse, public or private, within the State of Nevada from outside the State of Nevada for storage in transit to a final destination outside the State of Nevada, whether specified when transportation begins or afterward, shall be deemed to have acquired no situs in Nevada for purposes of taxation and shall be exempt from taxation. Such property shall not be deprived of such exemption because while in the warehouse the property is assembled, bound, joined, processed, disassembled, divided, cut, broken in bulk, relabeled or repackaged.

6. The legislature may exempt motor vehicles from the provisions of the tax required by this section, and in lieu thereof, if such exemption is granted, shall provide for a uniform and equal rate of assessment and taxation of motor vehicles, which rate shall not exceed five cents on one dollar of assessed valuation.

7. The legislature shall provide by law for a progressive reduction in the tax upon business inventories by 20 percent in each year following the adoption of this provision, and after the expiration of the 4th year such inventories are exempt from taxation. The legislature may exempt any other personal property, including livestock.

8. No inheritance or estate tax shall ever be levied . [, and there shall also be excepted such property as may be exempted by law]

9. The legislature may exempt by law property used for municipal, educational, literary,

scientific or other charitable purposes, or to encourage the conservation of energy or the substitution of other sources for fossil sources of energy.
and be it further

Resolved, That the ratification of this amendment be submitted to the registered voters of this state at a special election on June 4, 1985; and be it further

Resolved, That as far in advance of the special election as is practicable, the secretary of state shall issue a proclamation giving notice of the special election; and be it further

Resolved, That as far in advance of the special election as is practicable, the secretary of state shall prepare and transmit by mail to the county clerk of each county in this state a sufficient number of certified copies of the proclamation of the special election for the county clerk to carry out the duties imposed upon him by the provisions of this resolution. Not less than 10 days before the date of the special election, each county clerk shall cause one certified copy of the proclamation of the special election to be posted within the county outside of incorporated cities; and be it further

Resolved, That registration of qualified electors to vote in the special election closes at 9 p.m. on Saturday, May 4, 1985; and be it further

Resolved, That each county shall bear the cost of any paper for ballots which must be purchased and for the printing of ballots for the special election. No sample ballots may be printed or distributed except as part of a sample ballot printed and distributed for another election being conducted at the same time as the election required by this resolution; and be it further

Resolved, That the ballot page assemblies and the paper ballots to be used in voting on the question must present the question in substantially the following form:

> Shall the constitution of the State of Nevada be amended to authorize the legislature to provide for exemptions, credits or rebates on property taxes?
>
> Yes..... No.....

and be it further

Resolved, That the explanation of the question which must appear on each paper ballot and sample ballot and in every publication and posting of notice of the question must be in substantially the following form:

> If this amendment is adopted, the constitution of the State of Nevada will be amended to authorize the legislature to provide for exemptions, credits or rebates on the property tax for real property or improvements made to real property, or both.

and be it further

Resolved, That the board of county commissioners in each county shall convene not less than 3 days after the county clerk has received the returns of the special election and shall forthwith canvass the returns; and be it further

Resolved, That on June 19, 1985, the justices of the supreme court, or a majority of them, shall meet with the secretary of state, and shall open and canvass the vote for and against the question and shall forthwith declare the results. If a majority of the votes cast on the question is yes, the amendment shall become effective on July 1, 1985. If a majority of the votes cast on the question is no, the proposed amendment does not become effective; and be it further

Resolved, That all general election laws not inconsistent with this resolution apply to the special election required by this resolution to the extent they can be made applicable; and be it further

Resolved, That any informalities, omissions or defects in the content or making of the publications, proclamations or notices provided for in this resolution, or in the other proceedings by the officers thereof under which the special election is held may not be so construed as to invalidate the ratification of the amendment by a majority of the registered voters voting on the question, if it can be ascertained with reasonable certainty from the official returns transmitted to the office of the secretary of state whether the amendment was ratified or rejected by a majority of the registered voters.

Assemblyman May moved that the resolution be referred to the Committee on Taxation.

Motion carried.

By the Committee on Judiciary:

Assembly Joint Resolution No. 9—Proposing to amend sections 5 and 6 of article 6 of the constitution of the State of Nevada to require in

certain judicial districts the separate election of district judges for criminal matters and to issue writs of habeas corpus.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That sections 5 and 6 of article 6 of the constitution of the State of Nevada be amended to read as follows:

Sec. 5. [The state is hereby divided into Nine Judicial Districts of which the county of Storey shall constitute the First; The county of Ormsby the Second; the county of Lyon the Third; The county of Washoe the Fourth; The counties of Nye and Churchill the Fifth; The county of Humboldt the Sixth; The county of Lander the Seventh; The county of Douglas the Eighth; and the county of Esmeralda the Ninth. The county of Roop shall be attached to the county of Washoe for judicial purposes until otherwise provided by law. The Legislature may, however, provide by law for an alteration in the boundaries or divisions of the Districts herein prescribed, and also for increasing or diminishing the number of the Judicial Districts and Judges therein. But no such change shall take effect, except in case of a vacancy, or the expiration of the term of an incumbent of the Office. At the first general election under this Constitution there shall be elected in each of the respective Districts (except as in this Section hereafter otherwise provided) One District Judge, who shall hold Office from and including the first Monday of December AD. Eighteen hundred and Sixty four and until the first Monday of January in the year Eighteen hundred and Sixty seven. After the said first election, there shall be elected at the General election which immediately precedes the expiration of the term of his predecessor, One District Judge in each of the respective Judicial Districts (except in the First District as in this Section hereinafter provided.) The District Judges shall be elected by the qualified electors of their respective districts, and shall hold office for the term of 6 years (excepting those elected at said first election) from and including the first Monday of January, next succeeding their election and qualification; Provided, that the First Judicial District shall be entitled to, and shall have Three District Judges, who shall possess co-extensive and concurrent jurisdiction, and who shall be elected at the same times, in the same manner, and shall hold office for the like terms as herein prescribed, in relation to the Judges in other Judicial Districts, any one of said Judges may preside on the empanneling [empaneling] of Grand Juries and the presentment and trial on indictments, under such rules and regulations as may be prescribed by law.] *1. The legislature may provide by law for the division of the state into judicial districts and may alter the boundaries of, or the number of judges regularly assigned to, any judicial district, but no judge may be removed from office by any such alteration.*

2. The district judges regularly assigned to each judicial district must be elected by the registered voters of that district for a term of 6 years. Each term begins on the 1st Monday of January next after the general election in 1984 and the appropriate general election thereafter.

3. Except as provided in this subsection, the judges regularly or temporarily assigned to each judicial district have coextensive and concurrent jurisdiction. Where more than one judge is regularly assigned to a judicial district, the legislature shall provide by law the number of those judges who must be elected separately as the judges who, exclusive of the other judges regularly assigned to the judicial district, will exercise the court's jurisdiction in criminal matters and exercise the power to issue writs of habeas corpus on petition by or on behalf of persons accused of crime. Nothing in this subsection prevents any district judge or any retired justice or judge of the court system who is temporarily assigned to a district court or to a specialized function within that court from exercising the jurisdiction of the district court in criminal matters or from exercising the power to issue writs of habeas corpus.

Sec. 6. *Except as provided in subsection 3 of section 5 of this article:*

1. The District Courts in the several Judicial Districts of this State [shall] have original jurisdiction in all cases excluded by law from the original jurisdiction of justices' courts. They [shall] also have final appellate jurisdiction in cases arising in Justices Courts, and such other inferior tribunals as may be established by law.

2. The District Courts, and the Judges thereof [shall have power to] *may* issue writs of *:*

(a) Mandamus, Injunction, Quo-Warranto, Certiorari, and all other writs proper and necessary to the complete exercise of their jurisdiction . [; and also shall have power to issue writs of]

(b) Habeas Corpus on petition by, or on behalf of any person held in actual custody in their respective districts.

Assemblyman Stewart moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Judiciary:

Assembly Joint Resolution No. 10—Proposing to amend the Nevada constitution to authorize the creation of a court to hear cases arising out of taxes imposed by the state.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That article 6 of the constitution of the State of Nevada be amended by adding thereto a new section, and that sections 1, 4, 6 and 7 of article 6 be amended, to read respectively as follows:

Sec. 22. The legislature may provide by law for a court to hear cases arising out of taxes imposed by this state and prescribe the powers, duties and jurisdiction of that court.

Section 1. The Judicial power of this State [shall be] *is* vested in a court system, comprising a Supreme Court, District Courts, and Justices of the Peace. The Legislature may also establish, as part of the system, Courts for municipal purposes only in incorporated cities and towns [.] *and a Court to hear cases arising out of taxes imposed by the state.*

Sec. 4. The supreme court shall have appellate jurisdiction in all civil cases arising in district court [,] *or the tax court, if established,* and also on questions of law alone in all criminal cases in which the offense charged is within the original jurisdiction of the district courts [.] *or the tax court, if established.* The court shall also have power to issue writs of mandamus, certiorari, prohibition, quo warranto, and habeas corpus and also all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the justices shall have power to issue writs of habeas corpus to any part of the state, upon petition by, or on behalf of, any person held in actual custody, and may make such writs returnable, before himself or the supreme court, or before any district court in the state or before any judge of [said] *these* courts.

In case of the disability or disqualification, for any cause, of the chief justice or one of the associate justices of the supreme court, or any two of them, the governor is authorized and empowered to designate any district judge or judges to sit in the place or places of [such] *the* disqualified or disabled justice or justices, and [said] *the* judge or judges so designated shall receive their actual expense of travel and otherwise while sitting in the supreme court.

Sec. 6. The District Courts in the several Judicial Districts of this State shall have original jurisdiction in all cases excluded by law from the original jurisdiction of justices' courts [.] *which are not within the jurisdiction of the tax court, if established.* They shall also have final appellate jurisdiction in cases arising in Justices Courts, and such other inferior tribunals as may be established by law. The District Courts, and the Judges thereof shall have power to issue writs of Mandamus, Injunction, Quo-Warranto, Certiorari, and all other writs proper and necessary to the complete exercise of their jurisdiction [;] , and also shall have power to issue writs of Habeas Corpus on petition by, or on behalf of any person held in actual custody in their respective districts.

Sec. 7. The times of holding the Supreme Court , [and] District Courts *and the tax court, if established,* shall be as fixed by law. The terms of the Supreme Court shall be held at the seat of Government unless the Legislature otherwise provides by law, except that the Supreme Court may hear oral argument at other places in the state. The terms of the District Courts shall be held at the County seats of their respective counties; Provided, that in case any county shall be hereafter divided into two or more districts, the Legislature may by law, designate the places of holding Courts in such Districts.

Assemblyman Stewart moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Beyer, Kerns, Bourne, Bilyeu, Bogaert, Nevin, Swain, Nicholas, Humke, Stone, Schofield, Sader, Joerg, Zimmer, Redelsperger, Dini, Coffin, Brady, Thompson, Chaney, DuBois, Ham,

Vergiels, Banner, May, Kovacs, Fay, Sedway, Francis, Berkley, Craddock, Bergevin, Collins, Jeffrey, Malone, Stewart, Perry, Marvel, Price, Getto and Bremner:

Assembly Concurrent Resolution No. 9—Commending Lear Fan Limited for their perseverance in the completion of the Lear Fan which enabled them to receive a national achievement award.

WHEREAS, Bill and Moya Lear came to Nevada in 1968 to establish their engineering firm which later became known as Learenо; and

WHEREAS, Bill Lear's numerous inventions have included the Lear Jet, the 8-track stereo sound tape system, an autopilot system designed for use by jets, navigational equipment for airplanes and an improved steam engine; and

WHEREAS, At the time of Bill Lear's death in May 1978, he was involved in the development of a twin-engine aircraft of a new design which became known as the Lear Fan; and

WHEREAS, Moya Lear, realizing the effect that this aircraft would have on the design of aircraft generally, continued the project until its completion on "December 32, 1980," at which time the Lear Fan made its first successful flight; and

WHEREAS, Every year the National Society of Professional Engineers selects ten outstanding engineering achievements; and

WHEREAS, Lear Fan Limited was selected to receive this award for 1982 for the invention of the Lear Fan; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That this legislature commends Moya Lear and Lear Fan Limited for their perseverance in the completion of Bill Lear's last dream, the Lear Fan; and be it further

Resolved, That a copy of this resolution be prepared and transmitted forthwith by the legislative counsel to Mrs. Moya Lear.

Assemblyman Beyer moved the adoption of the resolution.

Remarks by Assemblymen Beyer and Bourne.

Assemblyman Schofield requested that the following remarks be entered in the Journal:

ASSEMBLYMAN BEYER:

This is the first time, as far as I know, that a project in Nevada has been selected by the National Society of Professional Engineers to receive the "Outstanding Engineering Achievement" award. The successes, accomplishments and inventions of Bill Lear are numerous and include the Lear Jet, an 8-track stereo tape system, and auto-pilot system, navigational equipment, as well as an improved steam engine. His uncompleted dream at his death in May 1978 was the aircraft known as the Lear Fan.

It was Moya Lear who picked up the reins of Lear Aviation and kept in on the track of success. She rallied the company employees to complete the Lear Fan project as a memorial to her late husband.

The story of the Lear Fan can best be told by quoting from an editorial by Patricia Stewart in the Reno Evening Gazette which appeared on Thursday, March 11, 1982.

Mrs. Lear describes her intense desire to finish the Lear Fan 2100, the project her husband, Bill Lear, was working on at the time of his death.

He extracted a deathbed promise from her to "finish it" so the day after his funeral, she went to the Lear Avia Plant, sat in Bill's chair and prayed a lot. The jobs of 300 people were at stake, as well as the Lear reputation for innovative invention. The sale of the craft to the British Government hinged on a successful test run on December 31, 1980. Something went wrong. Moya went home and thought of a Bible verse from Matthew, "I will take no care of the things of tomorrow for the morrow will take care of itself."

So on December 32, according to a British proclamation, the craft flew perfectly and the sale was made. Moya had done what her husband had asked. She had finished it.

"She is truly a wonderful lady of great strength and stamina."

Her 450 employees insist that it was her enthusiasm, hard work, perserverance and love which finally saw the Lear Fan as a reality.

ASSEMBLYMAN BOURNE:

I had the privilege of having the Lear Fan in my Assembly district. I also had the privilege of knowing Bill Lear, and also the privilege of working with Moya on several community activities in the 29th Assembly District. I admire them greatly, and I admire the company's effort to keep jobs in the State of Nevada, and to bring more industry into the State of Nevada.

Resolution adopted unanimously.

Assemblyman Beyer moved that all rules be suspended and that the resolution be immediately transmitted to the Senate.

Motion carried unanimously.

By the Committee on Ways and Means:

Assembly Concurrent Resolution No. 10—Authorizing expenditure from the legislative fund to pay certain travel allowances of the members and the staff of standing committees, special committees and subcommittees of the legislature during the 62nd session of the legislature.

Assemblyman Bremner moved the adoption of the resolution.

Remarks by Assemblyman Bremner.

Resolution adopted unanimously.

Assemblyman Bremner moved that all rules be suspended and that the resolution be immediately transmitted to the Senate.

Motion carried unanimously.

By the Committee on Judiciary:

Assembly Concurrent Resolution No. 11—Encouraging local governments to form voluntary bodies to educate the public on the dangers of driving while intoxicated.

Assemblyman Stewart moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 24.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 24:

YEAS—42.

NAYS—None.

Assembly Bill No. 24 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 102.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Assembly Bill No. 102:

YEAS—42.

NAYS—None.

Assembly Bill No. 102 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 103.
Bill read third time.
Remarks by Assemblyman Bourne.
Roll call on Assembly Bill No. 103:

YEAS—40.
NAYS—None.
Not voting—Marvel, Price—2.

Assembly Bill No. 103 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 107.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Assembly Bill No. 107:

YEAS—42.
NAYS—None.

Assembly Bill No. 107 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 108.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Assembly Bill No. 108:

YEAS—42.
NAYS—None.

Assembly Bill No. 108 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 110.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 110:

YEAS—42.
NAYS—None.

Assembly Bill No. 110 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Banner, Thompson, Jeffrey, Collins and Fay:

Assembly Bill No. 226—An Act relating to industrial insurance; permitting a hearing officer to request a medical examination of the claimant; clarifying the provisions on awards for permanent partial disabilities; changing the criteria for an award for a permanent partial disability in a lump sum; terminating certain benefits of a claimant if a lump sum is awarded; requiring payment by a claimant of the costs to investigate a false claim; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 227—An Act relating to meetings of local governing bodies; requiring a person desiring to make a statement of fact to be sworn; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 228—An Act relating to grand juries; setting the time when the transcript of the proceedings become public; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Ham, Swain, Berkley, Stone, Nevin, Collins and Zimmer:

Assembly Bill No. 229—An Act relating to health insurance; providing a method for computing the compensation for loss of work which must be paid to certain homemakers under individual, group and blanket policies; and providing other matters properly relating thereto.

Assemblyman Ham moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 230—An Act relating to public utilities; allowing the consumer's advocate to seek civil penalties against public utilities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 231—An Act relating to civil process; allowing licensed process servers to serve writs of garnishment; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 232—An Act relating to property taxes; revising the methods of valuing property in and between appraisals; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 233—An Act relating to property taxes; revising certain allowances which are available to senior citizens for the payment of property tax; providing for the payment of a rebate; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 21.

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

Motion carried.

Senate Bill No. 24.

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

Motion carried.

Senate Bill No. 48.

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

Motion carried.

Senate Bill No. 142.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 34.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 101.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 119.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 126.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 128.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 140.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 43.

Amend sec. 3, page 2, by inserting between lines 11 and 12:

"Section 1. The above entitled act, being chapter 397, Statutes of Nevada 1955, at page 766, is hereby amended by adding thereto a new section to be designated as section 18.2, which shall immediately follow section 18.1 and shall read as follows:

Sec. 18.2. *"Vehicle" has the meaning ascribed to it in NRS 482.135.*".

Amend sec. 3, page 2, line 12, by deleting "Section 1." and inserting "Sec. 2.".

Amend sec. 3, page 3, line 2, by deleting "*motor*".

Amend sec. 3, page 3, line 3, by deleting "*motor*".

Amend sec. 3, page 3, line 4, by deleting "*motor*".

Amend sec. 3, page 3, line 9, after "*NRS 371.060.*" by inserting:

"*To determine the original manufacturer's suggested retail price from which the depreciation is calculated, the department of motor vehicles may use the procedures set forth in subsections 3 and 4 of NRS 371.050 or estimate it from any available information.*".

Amend sec. 3, page 4, line 10, by deleting "*motor*".

Amend sec. 3, page 4, line 11, by deleting "*motor*".

Amend sec. 3, page 4, line 28, by deleting "*motor*".

Amend sec. 3, page 5, line 19, by deleting "*motor*".

Amend sec. 3, page 5, by deleting line 20 and inserting: "*other than the sale or transfer of a used vehicle to the seller's*".

Amend sec. 3, page 5, by deleting line 22 and inserting: "*ter. For the purposes of this section, the relation of parent and child includes adoptive and illegitimate children and stepchildren.*".

Amend sec. 3, page 5, line 28, by deleting "2." and inserting "3.".

Amend sec. 4, page 5, by deleting line 34 and inserting: "vehicle taken in trade on the purchase of another".

Amend sec. 4, page 5, line 36, by deleting "motor".

Amend sec. 5, page 5, line 44, by deleting "motor".

Amend sec. 5, page 6, line 1, by deleting "motor".

Amend sec. 5, page 6, line 2, by deleting "motor".

Amend sec. 5, page 6, line 7, by deleting "motor".

Amend sec. 5, page 6, line 8, by deleting "motor".

Amend sec. 5, page 6, line 10, by deleting "motor".

Amend sec. 5, page 6, line 11, by deleting "motor".

Amend sec. 5, page 6, line 13, by deleting "motor".

Amend sec. 9, page 6, line 34, by deleting "*motor*".

Amend sec. 9, page 6, line 35, by deleting "*such*".

Amend the bill as a whole by inserting new sections, designated sections 9.3 and 9.6, following section 9, to read respectively as follows:

"Sec. 9.3. Chapter 374 of NRS is hereby amended by adding thereto a new section which shall read as follows:

"Vehicle" has the meaning ascribed to it in NRS 482.135.

Sec. 9.6. NRS 374.020 is hereby amended to read as follows:

374.020 Except where the context otherwise requires, the definitions given in NRS 374.025 to 374.105, inclusive, *and section 9.3 of this act* govern the construction of this chapter.".

Amend sec. 10, page 7, line 42, by deleting "*motor*".

Amend sec. 10, page 7, line 43, by deleting "*motor*".

Amend sec. 11, page 8, line 18, by deleting "*motor*".

Amend sec. 11, page 8, by deleting line 19 and inserting: "*the sale or transfer of a used vehicle to the seller's spouse, child, grand-*".

Amend sec. 11, page 8, line 20, after "*sister.*", by inserting: "*For the purposes of this section, the relation of parent and child includes adoptive and illegitimate children and stepchildren.*".

Amend sec. 12, page 8, line 35, by deleting "*motor*".

Amend sec. 13, page 9, line 42, by deleting "*motor*".

Amend sec. 13, page 9, line 43, by deleting "*motor*".

Amend sec. 13, page 9, line 44, by deleting "*motor*".

Amend sec. 13, page 10, by deleting line 5 and inserting: "*ules in NRS 371.060. To determine the original manufacturer's suggested retail price from which the depreciation is calculated, the department of motor vehicles may use the procedures set forth in subsections 3 and 4 of NRS 371.050 or estimate it from any available information.*".

Amend sec. 14, page 10, line 10, by deleting "*motor*".

Amend sec. 14, page 10, line 11, by deleting "*such*".

Amend sec. 15, page 10, line 25, by deleting "*by*" and inserting: "*from*".

Amend sec. 15, page 10, line 30, before "shall", by inserting an open bracket.

Amend sec. 15, page 10, line 32, after "taxation", by inserting a closed bracket.

Amend sec. 15, page 10, line 34, by deleting the period and inserting: "[.] *except as otherwise provided in NRS 482.260.*"

Amend sec. 15, page 10, line 40, before "notified", by inserting an open bracket.

Amend sec. 15, page 10, line 41, by deleting "tax," and inserting: "tax,] *all applicable taxes and fees are collect,*".

Amend sec. 15, page 10, line 43, before "counties", by inserting an open bracket.

Amend sec. 15, page 11, line 2, after "In", by inserting a closed bracket.

Amend sec. 15, page 11, by deleting lines 4 through 6 and inserting: "[taxation] *motor vehicles* shall designate the county assessor [, the department or the agent of the department] as the agent of the department [of taxation] for the collection of *any sales or* use tax.".

Amend sec. 15, page 11, line 9, before "representative", by inserting an open bracket.

Amend sec. 15, page 11, line 10, by deleting "taxation," and inserting "taxation,] *department*".

Amend sec. 15, page 11, lines 11 and 12, by deleting "of taxation" and inserting "[of taxation]".

Amend sec. 15, page 11, line 14, by deleting "of taxation" and inserting "[of taxation]".

Amend sec. 15, page 11, line 15, by deleting "refunded as" and inserting "refunded . [as".

Amend sec. 15, page 11, line 16, after "inclusive.", by inserting a closed bracket.

Amend the bill as a whole by renumbering section 16 as section 18

and adding new sections designated section 16 and section 17, following section 15, to read respectively as follows:

"Sec. 16. NRS 482.260 is hereby amended to read as follows:

482.260 1. The department and its agents in registering a vehicle shall:

(a) Collect the [license plate] fees *for license plates* and registration [fees] as provided for in this chapter.

(b) Collect the privilege tax on the vehicle, as agent for the county where the applicant intends to base the vehicle for the *period of* registration , [period,] unless the vehicle is deemed to have no base.

(c) *Collect the applicable taxes imposed pursuant to chapters 372, 374, 377 and 377A of NRS.*

(d) Issue a certificate of registration, together with the regular license plate or plates.

2. Upon proof of ownership satisfactory to the director, he shall cause to be issued a certificate of ownership as provided in this chapter.

3. Every vehicle referred to in subsection 1 of NRS 482.206 being registered for the first time in Nevada [shall] *must* be taxed for *the purposes of the* privilege tax [purposes] for a 12-month period. Every vehicle referred to in subsection 2 of NRS 482.206 being registered for the first time in Nevada [shall] *must* be taxed for *the purposes of the* privilege tax [purposes] pro rata on a monthly basis upon the amount of time remaining in the current calendar year.

4. The department shall deduct and withhold 2 percent of the taxes collected pursuant to paragraph (c) of subsection 1 and remit the remainder to the department of taxation.

Sec. 17. Chapter 7, Statutes of Nevada 1983, is hereby repealed.".

Amend sec. 16, page 11, line 17, by deleting "and this section".

Amend sec. 16, page 11, by deleting lines 22 and 23 and inserting:

"3. Sections 9.3 to 17, inclusive, of this act and this section shall become effective upon passage and approval.".

Amend the title of the bill, fourth, fifth and sixth lines, by deleting "motor" on each line.

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 30.

Bill read second time and ordered to third reading.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 1 p.m.

Assembly in recess at 12:06 p.m.

ASSEMBLY IN SESSION

At 1:26 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 17, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 9.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 41, 105, 110, 113, 133.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 10.

Mae Lofthouse
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 41.

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

Motion carried.

Senate Bill No. 105.

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

Motion carried.

Senate Bill No. 110.

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

Motion carried.

Senate Bill No. 113.

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

Motion carried.

Senate Bill No. 133.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Vergiels, Kovacs, Schofield, Collins, Beyer, DuBois, Sedway, Chaney, Sader, Bremner, Dini, Marvel, Coffin, Perry, Redelsperger, Thompson, Stewart, Price, Humke, Ham, Thomas, Francis, Kerns, Craddock, Nevin, Bergevin, Berkley, Bourne, Stone, Malone, Fay, Brady, Bogaert, Nicholas, Bilyeu, Joerg, Swain, Zimmer, Jeffrey, Getto, Banner and May:

Assembly Resolution No. 7—Commending William W. Morris on his service to Nevada.

WHEREAS, William W. Morris attended the Fifth Street Grammar School; and

WHEREAS, Bill "Wildcat" Morris is an alumnus of Las Vegas High School, class of 1945, where he was noted as an athlete and nicknamed for the school mascot; and

WHEREAS, Bill "Wildcat" Morris then attended the University of Nevada, Reno, on an athletic scholarship, excelled in football as a linebacker and graduated in 1949 with a degree in physical education; and

WHEREAS, Bill Morris attended American University in Washington, D.C., where he

obtained his law degree while working in the offices of Nevada Senators Pat McCarran and Alan Bible; and

WHEREAS, William W. Morris has served the people of Nevada, particularly those in Clark County, with honor and distinction in various positions of public trust since 1953; and

WHEREAS, Bill Morris assisted in establishing the Nevada Southern Foundation, Inc., a nonprofit charitable organization whose purpose is the betterment of the University of Nevada at Las Vegas; and

WHEREAS, Bill Morris has continued to vigorously serve the University of Nevada, Las Vegas, in such positions as director of the Student Aid Foundation, cofounder of the Football Foundation, cofounder and four-term president of the University Rebels Club, cofounder and president of the Rebel Athletic Foundation; and

WHEREAS, Bill Morris is an outstanding Rebel booster and through his efforts the UNLV sports pavilion and stadium will have been built without cost to Nevada taxpayers; and

WHEREAS, Bill Morris was elected to the Board of Regents of the University of Nevada in 1970 and served ably for this four-year term; and

WHEREAS, Bill Morris justly deserves the recognition and commendation of all of the people of the State of Nevada for his continued support of the University of Nevada, Las Vegas; now, therefore, be it

Resolved by the Assembly of the State of Nevada, That the members of the assembly of the 62nd session of the legislature commend William W. Morris for his many years of public service and extend to him the gratitude of the assembly and the people of the State of Nevada; and be it further

Resolved, That a copy of this resolution be prepared and transmitted forthwith by the legislative counsel to William W. Morris.

Assemblyman Kovacs moved the adoption of the resolution.

Remarks by Assemblymen Kovacs, Fay, Price, Berkley, Collins, Bremner and Dini.

Assemblyman Jeffrey requested that the following remarks be entered in the Journal:

ASEMBLYMAN KOVACS:

As the resolution says, "Wildcat Morris", as he is known affectionately by his friends and former football opponents, was recruited by coach Jim Aiken to the University of Nevada, Reno, after graduation from Las Vegas High School.

He was a member of the university's varsity football team for 4 years and was a member of the Block "N" Letterman's Club each year.

He made an outstanding reputation as being one of the hardest football players ever to come out of UNR.

He did enjoy college social life as well as being an active member of the ATO fraternity and the Sundowners.

He was the foundation of the then known "Iron Curtain" which was the nickname of the football line during the 1948 season.

They included Ken Sinoksky and Frank Sanches at guards, Fred Leon and Tom Teinhardt at the tackle position, and the ends were were Dan Orlich and Scott Beasley

And here you were at 165 pounds anchoring the middle of that line playing center.

Their quarterback was Stan Heith who set an NCAA record for most yards gained passing in a season.

Their running backs weren't too shabby either with Dick Trachok, who is now athletic director at UNR and a little fellow by the name of Tommy Kalmanir who went on to star for the Rams. The fullback was Sherman Howard. They were coached by Joe Sheeketski.

The team wasn't good! They were outstanding. And I for one can remember listening to their games on the radio every Saturday afternoon.

In addition to Kalmanir, Heith, Orlich, Beasley went on to play pro ball.

The team was honored by playing in two after season college bowl games.

And Wildcat and Beasley played in the 1949 All Star State Bowl in Honolulu.

All this and the man called Wildcat made his own legend, which is still remembered.

We mentioned your fellow teammates, some of which are here today and I know the rest would be in attendance if possible.

As a friend I want to thank you and congratulate you on your accomplishment and service to Nevada along with every member of this Assembly and your friends in attendance.

The following communications were received:

Best wishes to Bill Morris for many good deeds.

ROSEMARY AND JIM CLARKE

Bill Morris is one of the greatest guys in Nevada.

He has always been good to everyone—both family and friends.

He has always been a good friend to the State of Nevada especially senior citizens and Indians.

I would like to give Bill and his family my best wishes always.

BEST FROM GEORGE AND EILEEN

JOHN VERGEILS, *Speaker of the Assembly, Legislative Building,* Carson City, Nevada 89701

Speaking on behalf of the members of Our Lady of Las Vegas Church I rejoice and affirm the honors given to our Parishoner Mr. William Morris. His generosity, his concern, his involvement is indeed exemplary. May God bless and keep him.

Respectfully,

FATHER GEORGE C. WOLF, PASTOR
104 Alta Drive
Las Vegas, Nevada 89107

UNIVERSITY OF NEVADA RENO
RENO, NEVADA

February 17, 1983

MR. WILLIAM W. MORRIS, C/O ASSEMBLYMAN EDWARD KOVACS, *Nevada State Legislature,* Carson City, Nevada

Dear Bill:

I am told that the Nevada State Assembly is honoring you today. Neither rain nor sleet nor snow nor hail nor wild horses could keep me from being present for the occasion. However, the Board of Regents is meeting today in Reno. As a former Regent, you will understand I'm sure that the Board has first call on me.

I do want to congratulate you on this much deserved honor. The Fifth Street Grammar School, Las Vegas High School and American University can all take pride in you. But UNR, as your true Alma Mater, takes the greatest pride. The University joins today with the Assembly in saying thanks for your many services to Nevada.

Best Wishes and Congratulations,

JOSEPH N. CROWLEY
President

ASSEMBLYMAN FAY:

Mr. Speaker and fellow members of the Assembly and Senate, it is my pleasure to make a short remark today. Former President Lyndon Johnson once observed that former President Gerald Ford played too much football without his helmet. In my humble observation, Wildcat Bill Morris always kept his helmet on.

ASSEMBLYMAN PRICE:

I received a telegram just this morning from Bill's colleagues on the Las Vegas Convention Authority, and we want you to know that they have finally reached accord on a solution to the proper use of the Silver Bowl. After one of your fellow commissioners noticed the similarity between the shape of a property on center Strip and one of the properties on the Boulder Highway, they have decided to install a giant wheel on the side and put a couple of stacks up on the front end, and they're going to make you captain and let you make a success out of it.

ASSEMBLYMAN BERKLEY:

I have known Bill Morris and his wife, Vivien, since the year that I was Student Body President of UNLV and Bill served on the Board of Regents that year. He was a tremendous

help to me, and he has been a friend and a supporter and a great help to me all of these years. I am proud to know him and I am proud to know his family. I am delighted to be a part of this today.

ASSEMBLYMAN COLLINS:

Mr. Speaker and my fellow Assemblymen, I wouldn't be able to go back to West Las Vegas if I didn't say something on Mr. Morris' behalf. We have an organization called the Aaron Williams Youth Foundation, which is about 30 years old. I'm not saying anything about your age, Bill, but Mr. Morris started that organization. Today I think we have about 10 or 15 Little League organizations which he started also. So if I didn't get up and say something and they found out he was up here being honored, I don't think I would be able to go back home. I just want to say thanks, Bill.

ASSEMBLYMAN BREMNER:

Bill and I were fraternity brothers, and Bill was very instrumental in getting a chapter of the Alpha Tau Omega fraternity started at UNLV. I must say that it has been a very successful endeavor. They have a very active and viable group at Nevada-Las Vegas because of the efforts of Mr. Bill Morris. The ATO house at Nevada was always kind of known as a jock house. The guys were athletes. I don't know how I ever got in there, but, nonetheless, I did. He has been very successful in promoting the Alpha Tau Omega fraternity, and I think I would be remiss if I didn't get up and say congratulations today, Bill, from all your fellow fraternity brothers. We're glad to see you honored in this way, and thanks for all you've done for us.

ASSEMBLYMAN DINI:

I sure appreciate the opportunity to say a few good words about Bill. I guess I'm going to represent Trachock and Beasley down there, who are two of your colleagues in the old days of playing football at UNR. Our association started in 1946. Trachock, Beasley and I were all freshmen and Bill was already a sophomore. But also he wore a crewcut in those days. Every time I tell him that he wants to kick me. But time has taken it's toll, I guess. He has been an outstanding friend of mine all these years, and I can say on behalf of all the people who started out in college in the days that he was there, it is really a fine tribute that the Assembly is honoring you on this day.

Resolution adopted unanimously.

Senate Joint Resolution No. 10.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 49; Senate Bills Nos. 20, 22, 23, 25, 66; Assembly Joint Resolution No. 6; Senate Joint Resolution No. 3 of the 61st Session.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Raymond Nelson and Ms. Barbara Knudson Henry.

On request of Assemblyman Berkley, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Karen Ann Gang.

On request of Assemblyman Bilyeu, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Eddie Murphy and Ms. Juliana Murphy.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sandra Ballard and Rosa Estes.

On request of Assemblyman Bremner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Karen Knudson Lyon.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jackie Barrow and Leona Wright.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Thelma Sanders and Mr. Edmund Warren.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jean Molde.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Fast.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Stephanie Beck and Mr. Douglas A. Bachie.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Deanna Nelson.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mickie Smith, LeAnn Romeo, Messrs. Jim Dillon, Larry Lapenta and Kenneth Payette.

On request of Assemblyman Kovacs, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Virginia Morris, Messrs. Dick Trachok and Scott Beasley.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tom Dudas and Mrs. Dawn Marie Dudas.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Heather Gilbert.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sally Kinsey.

On request of Assemblyman Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Karen Herman and Roberta Skelton.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, February 18, 1983, at 10:15 a.m., and that it do so in honor of Bill "Wildcat" Morris.

Motion carried.

Assembly adjourned at 1:48 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-THIRD DAY

CARSON CITY (Friday), February 18, 1983

Assembly called to order at 10:20 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all, we turn to you for a blessing, even as we turn our thoughts to the business of our state about to be conducted here in this chamber. Your blessing we need, your blessing we seek, for your blessing received we give thanks. We also now turn to you to ask your special blessing upon those who must travel this day. Bless and protect them all, also. And upon the one who comes to address this assembly presently, we also ask your blessing, that the best interests of all your people, of both state and nation, will be advanced by what she says here and what is heard here. And finally, Oh Lord, hear a special blessing this weekend upon your servant, James Stone, who celebrates another year this Sunday. Make it a happy day and a day of recreation.

Lord, in your Mercy, hear this, our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Joint Resolution No. 21 of the 61st Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 20.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 46.

Amend section 1, page 1, line 13, by deleting "*of this section*".

Amend sec. 3, page 2, line 10, after "processing", by inserting: "and experts in the field of personnel who have extensive experience with data processing".

Amend sec. 3, page 2, line 12, after "division.", by inserting:

"A portion of that sum, which must not exceed $3,000, may be used by the division to review and evaluate advanced applications of such systems at the sites where the applications are being made.".

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 29.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 76.
Bill read second time.
The following amendment was proposed by the Committee on Health and Welfare:
Amendment No. 54.
Amend sec. 2, page 2, by deleting line 1 and inserting: "583.565, inclusive. *The officer may, upon the request of a local health authority, designate that health authority*".
Amend sec. 4, page 3, line 5, after "officer", by inserting: "*or local health authority*".

Assemblyman Nicholas moved the adoption of the amendment.
Remarks by Assemblyman Nicholas.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Swain moved that Assembly Bill No. 78 be taken from the Second Reading File and placed on the Chief Clerk's desk.
Motion carried.

Mr. Speaker pro Tempore appointed Assemblymen Banner and Bergevin as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Representative Barbara Vucanovich.

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

Assembly in recess at 10:29 a.m.

ASSEMBLY IN SESSION

At 10:32 a.m.
Mr. Speaker presiding.
Quorum present.
The President of the Senate, The President pro Tempore of the Senate and Members of the Senate appeared before the bar of the Assembly.

Mr. Speaker invited the President and President pro Tempore of the Senate to the Speaker's rostrum.

Mr. Speaker invited the Members of the Senate to chairs in the Assembly.

IN JOINT SESSION

At 10:35 a.m.
President of the Senate presiding.

The Secretary of the Senate called the Senate roll.

All present except Senators Glover, Jacobsen and Raggio, who were excused.

The Chief Clerk of the Assembly called the Assembly roll.

All present.

The President of the Senate appointed a Committee on Escort consisting of Senator Wagner and Assemblyman Getto to wait upon Representative Vucanovich and escort her to the Assembly Chamber.

The Committee on Escort in company with The Honorable Barbara Vucanovich, United States Representative for Nevada, appeared before the bar of the Assembly.

The Committee on Escort escorted the Representative to the rostrum.

The President of the Senate welcomed the Representative and invited her to deliver her message.

The Representative delivered her message as follows:

Mr. Speaker, members of the Nevada Legislature, and fellow Nevadans, I would like to take this oppportunity to welcome a very special group of young people who are at our gathering today. They are a group of fourth, fifth and sixth graders from Veterans Elementary School. I think there is probably a lot in government and business that we can learn from you, so welcome. It's almost a full house here today, and when I speak in my Chambers, I'm really not accustomed to speaking to quite such a crowd. That's because in Washington, the Congress is one of those places where you rarely find anybody all at one time. I guess that's what's so special about Nevada. Here, when you have a job to do, you get to it and get the job done. So for me, going to Washington is kind of like the story of the Nevadan who died. When he got to the gates of Heaven, he was asked where he was from. "Nevada," he replied. "Oh," said Saint Peter, "A Westerner. Well, come on in, but you won't like it."

It's a little bit like that in Congress and, for me, it's hard to get used to all the maneuvering, and positioning, and frankly the partisan gamesmanship that precedes action on just about every issue before the Congress. And I think that kind of public relations activity is encouraged by the way Congress is organized. There's an aisle down the middle—roughly down the middle anyway—of the floor of the House, and on one side sit the Democrats, and on the other side sit the Republicans as if we are on opposing teams or have nothing in common or are troops kept in a continual state of readiness, stationed on the front lines. It is very different. Of course, seniority plays an important role. The party comes first, then seniority within the party. As you know here, unless you know who all the players are, you don't know a Democrat from a Republican. Well, you sure do in my House.

Here, we place a much greater emphasis on senior members and using the experiences they have, as opposed to the partisanship idea.

But there's one more thing that sets this state legislature apart from, and I believe, above the Congress and many other state legislatures. That is, the citizen legislature. I think citizen, nonprofessional legislators bring a more realistic view to government, and well they should, because here we have to go out and live, and work, and earn our livelihoods under the laws we pass.

You're not insulated, as some of us are, from the effects of government on your lives and that of your family and friends. In Washington, there's a danger of that because we set up offices on the Hill, (and back in the District), but we work and contemplate issues in the Congressional environment. We could lose that perspective. The Washington environment is abstract, intellectual, highly theoretical, and a little bit sterile for most Nevadans' tastes. So, I must try to make up for that lack of realism by coming back here—by talking to my constituents, and by talking to you and working with each of you as we work to try to find the key to establishing policies at the state and federal levels that won't negate each other, but will complement one another, and actually achieve some of the things we all set out to do.

I guess that's a difficult concept to fully understand—first to understand both National and State concerns, and then to understand how the actions of one body affect and impact the other body. But I think it's one of the most critical issues facing us today and I'd like to talk with you about it, and about how our legislative actions affect our nation in a social, as well as an economic sense.

First, let's talk about what we're really doing; how we're really influencing our society with all of this government money that's collected and spent each year. The President sent his budget proposal to Capitol Hill on the 31st of January. I want to stress something, that it is a proposal and that it will be changed before Congress finally approves it. You know that's how government works, and that's what you are doing here in your house. But as I was going over the budget and the summaries and the fact sheets that accompany the budget, I was impressed with something that many of us in government fail to see as we go about our business.

The federal budget is a massive document—several thousand pages—and it is literally not understood fully by anyone. That's because, to understand the total budget, you must study and understand each of it's thousands of parts, something you would no sooner complete before the issuance of another budget. But if you look at the budget, and the process, in an overall sense, it becomes apparent that all the little payments here, and big payments there, and the flow of the federal tax dollar in general represents a significant social as well as economic phenomenon. The federal budget, and the government that implements it, literally exists to redistribute the funds collected through taxation. Now, we all are very sensitive to tax issues—they impact our constituencies in very real and sometimes uncomfortable ways—and we're all quite sensitive to where the money goes. Programs of every kind impact portions of our constituencies in both positive and negative ways. But I think we ought to look at the budget in terms even larger than that. What I mean is, what does this massive transfer of dollars really represent?

First, let's look at where the money comes from, again, in very general terms. Over a third of it, 35 percent, comes from me and you in the form of individual income taxes. Corporate income taxes account for about 6 percent, excise and other taxes are 8 percent, Social Security and other social insurance receipts are 29 percent, and we borrow about 22 percent. Income, then, comes from two major sources: borrowing, and the income producing individual—usually age 65 and under.

Spending, on the other hand, goes out like this: 6 percent goes to the Federal Government for operations, 11 percent goes to states and localities in the form of grants, 12 percent goes to pay interest on the federal debt, 29 percent goes to pay for defense and the military, and 42 percent goes out in the form of direct payment to individuals—transfer payments. Now, to understand what we're doing in a social, as well as economic sense, we need to know who the recipients of those benefits are—who gets the 42 percent?

You might be thinking welfare right now, or unemployment, or those kinds of things, but that's not the case. Actually, most of the 42 percent goes to the elderly. Totally, 28 percent of the federal budget goes to the elderly of our nation. That only leaves 14 percent that goes to younger recipients of benefit programs.

But, it's not important to simply study the statistics. You see, what we're doing is transferring a massive amount of money—234 billion dollars or 28 percent of the total federal budget—from one generation of younger, income producing individuals to another generation of older Americans.

Now, there's nothing wrong with that, as long as we understand it and we are able to afford it, but it raises some serious questions about the future. For the past twenty years or so, federal spending and the allocation of the federal dollar has been a formula-driven process. Congress enacted programs, assigned eligibility criteria, and then estimated how many people would be eligible to receive benefits.

The appropriation was then based on those estimates in mind. That system enabled Congress to change outlays by changing eligibility. But the aging of our population is changing that. You all remember all those kids Americans had in the '50s—the baby boom—well, as they age, and get closer to the retirement age, the fact that they are such a large generation and represent a large portion of our society, coupled with the lower birth rates today, is going to further age the American population. And what that means is that formula-driven budgeting will be replaced by a much less flexible and forgiving system—one that is demographics-driven.

In coming years, payments to the elderly will take a larger and larger piece of the tax dollar—and that's something you can't alter because you can't change the fact that

people get older. So, I guess the bottom line might go something like this—it's up to us, you and me, today, to get our houses in order by dealing effectively and intelligently with specific programs that we are able to manipulate now, so that we have the resources to meet the legitimate and earned needs of our elderly population in years to come. So, it's easy to see, and not so easy to understand, how all this government activity does have a significant impact on our society in a social sense. But let's bring the discussion down one notch and talk about how legislative bodies affect one another by the actions they take and the laws they pass. Nationally, we're concerned with a lot of specific issues like Social Security, easing unemployment, building and maintaining a strong defense, and creating a stronger, more vital economic environment. And each one of those issues—more importantly the actions the Congress takes on them—will have a significant impact on the people and government of Nevada. Social Security is not a political problem to be solved by political means. It's a very real financial and economic concern that affects every man, woman and child in this nation right down to the last Nevadan. There are a number of proposals before the Congress to deal with the Social Security program, but the only thing we, in Nevada, can be assured of is that whatever Congress does, it will affect this Legislature and the people of this State in very direct ways. If we cut back on services or payments, the burden won't simply disappear. Instead, it will be transferred to you, here at the State level, and the demands of our people will be voiced here in Carson City.

And there are thousands of other proposals that will be considered and debated in Congress this year, and that will affect the state governments. Measures to relieve unemployment will inevitably help some areas more than others. Tax law changes will take from some areas and sectors of the economy more than others—the building of our nation's defenses will impact parts of our country in very real and very different ways, as we in Nevada know all too well.

In short, the relationships and the effects each has on any given part of this nation are innumerable, and among the least understood, yet most important aspects of what government does. The responsibility is on us—each and every one of us who represents a constituency or holds public office. We have to do our best to assure good government, effective government, and realistic government for our people. And while I've thought about it for years, the only real way I can come up with to assure that we'll be able to do that is if we place responsibility to the people as our first and foremost concern. Not politics or partisanship, but responsibility to those who have selected us to represent them. If there's one point I would like to make today, it's that I want to work with each and every one of you—Democrat and Republican alike—to find responsible ways to govern this nation.

Now, I know that's easy to say and often hard to do, but I want to call on you to join with me in making that commitment, because if we don't do it, then we'll just be like all the rest, and running with the pack isn't something Nevada is known for.

You know, I serve on the Interior Committee—something that I'm very proud and fortunate to be able to say. And when I was asked what my second choices were when I was back there, I said I have no second choice. I can't go home if I don't have that committee. In our first meeting that we had a couple of weeks ago, we had the opportunity to hear Secretary Watt report to us on the activities of the Department during the past two years.

Now, we all know Jim Watt is a very controversial sort of fellow, and that's because he does have a strong personal philosophy and isn't afraid to express it to the press or anyone else. But, when we judge Mr. Watt, and his performance on the job, it's not his personal beliefs that we're judging—it's his administration of the Department of the Interior. In his report, he outlined the accomplishments of his administration—some accomplishments that I happen to think have been very realistic in their approach; and very good for us here in Nevada. Secretary Watt isn't talking about raping the wilderness, or turning America into an oilfield—he's talking about a careful program to recognize that 80 percent of all new oil, 35 percent of all new coal, and 40 percent of new natural gas yet to be discovered in this nation is located on public lands, and we all know how much public land we have in this state. We have to understand that, and we have to understand that those resources will be needed by our nation, and that we're better off to look for them and use them in organized, efficient ways that won't harm our environment than we would be to wait until we're facing an emergency and then throw open our national treasures to helter skelter plundering. But certain members of the Interior Committee were not interested in hearing the Secretary's report or really listening to

what he had to say. Instead, they took the opportunity to attack him for some statements of personal philosophy made some time ago. The reason they did it was simply because the room was full of reporters.

Now, I don't know about you, but I've got some questions for Mr. Watt regarding water rights and what this administration plans to do in the coming years, so I asked him about that. He answered me alright—he told me that the reversal of the Carter opinion would be upheld and measures were to be taken that would prevent that situation from occuring again. But when the news came on television that evening, it wasn't the questions of substance and real importance that were reported—it was the political attacks that we all heard about.

Anyway, there is a moral to my story, and the message I want to get to you today is this—nothing is served when self-interest and politics dictate the course we follow in government. We can only make real progress if we work together to correct the problems of the past and take advantage of the opportunities of tomorrow.

I thank you very much for having me come here today. I look forward to working with all of you and I just hope that you have a very productive session.

Thank you very much.

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

Motion carried unanimously.

The Committee on Escort escorted the Representative to the bar of the Assembly.

Assemblyman Bremner moved that the Joint Session be dissolved.

Motion carried unanimously.

Joint Session dissolved at 10:58 a.m.

ASSEMBLY IN SESSION

At 11:04 a.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 79.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 36.

Amend section 1, page 1, by deleting lines 9 and 10, and inserting: "such approval is given, equipment suitable for the performance of the Babcock test must be provided and maintained.".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 80.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 58.

Amend section 1, page 1, by deleting lines 3 through 15 and inserting:

"*A licensed professional nurse who is employed by the health division of the department of human resources to work in the field of community health may perform limited procedures in a laboratory under the supervision of the state health officer.*".

Amend the title of the bill to read as follows:

"An Act relating to medical laboratories; authorizing certain nurses to perform limited procedures therein under supervision; and providing other matters properly relating thereto.".

Assemblyman Perry moved the adoption of the amendment.

Remarks by Assemblyman Perry.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 82.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 84.

Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 34.

Bill read third time.

Remarks by Assemblymen Nicholas, Ham, Stewart, May, Dini, Jeffrey and Getto.

Roll call on Assembly Bill No. 34:

YEAS—35.

NAYS—Brady, Bremner, Ham, May, Price, Stewart, Thomas—7.

Assembly Bill No. 34 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 42.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 42:

YEAS—41.

NAYS—Bilyeu.

Assembly Bill No. 42 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 43.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 43:

YEAS—42.
NAYS—None.

Assembly Bill No. 43 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 63.

Bill read third time.

Remarks by Assemblyman Bourne.

Roll call on Assembly Bill No. 63:

YEAS—39.
NAYS—None.
Not voting—May, Price, Stewart—3.

Assembly Bill No. 63 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 101.

Bill read third time.

Remarks by Assemblyman Kovacs.

Roll call on Assembly Bill No. 101:

YEAS—41.
NAYS—None.
Not voting—Sedway.

Assembly Bill No. 101 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 119.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 119:

YEAS—41.
NAYS—Stone.

Assembly Bill No. 119 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 126.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 126:

YEAS—42.
NAYS—None.

Assembly Bill No. 126 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 128.
Bill read third time.
Remarks by Assemblymen Zimmer, Dini and Banner.
Roll call on Assembly Bill No. 128:
YEAS—42.
NAYS—None.

Assembly Bill No. 128 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 30.
Bill read third time.
Remarks by Assemblyman Schofield.
Roll call on Senate Bill No. 30:
YEAS—42.
NAYS—None.

Senate Bill No. 30 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Dini, Getto, Sader, Thompson, Nicholas and Chaney:

Assembly Bill No. 234—An Act relating to elections; reducing the periods allowed for filing declarations of candidacy and certificates of candidacy; and providing other matters properly relating thereto.

Assemblyman Dini moved that the bill be referred to the Committee on Elections.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 28, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Concurrent Resolution No. 9; Assembly Resolution No. 6.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Thelma Sanders.

On request of Assemblyman Bilyeu, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Shelli Sharp and Mr. Bill Wunderlich.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Gary Robert Livingston, Carroll Gardner and Dave Lowe.

On request of Assemblyman Francis, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Terry Johnson.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Doris Markey and Peggy Wutke.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Patty Smith and Mr. Keith Lockard.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Terry Clawson and Doris M. Steiner.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Frank Fahrenkopf.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Elaine McNamara.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Priscilla Ann Gibson, Mrs. Laura Smith and Mr. Joe Hill.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Beverly Carlino.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Eleanor Mills and Mr. Tony Mills.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, February 21, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:42 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-SIXTH DAY

CARSON CITY (Monday), February 21, 1983

Assembly called to order at 11:02 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend C. Harold Van Zee.

On this day of the presidents, we recognize, O God, as George Washington saw so clearly, that "no people can be found to acknowledge and adore the invisible hand which conducts the affairs of men more than those of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency."

Believing by thy providence thou hast ordered our nation and our lives, we place ourselves at thy disposal at this beginning of another week.

May thy spirit be outpoured into our hearts and minds, that we shall feel it, and all men and women know it. We seek thy wisdom, O Eternal God, that beyond our own powers we may have an understanding and skill to solve the affairs of our beloved state.

O God, we pray for some evidence in what is said and done here, that thou hast been permitted a voice and a vote and that men and women yielded to thee will be led aright. In Jesus' name we pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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, February 18, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 14.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 44.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 39.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 8.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Resolution No. 8—Providing for the appointment of additional assembly attaches.

Resolved by the Assembly of the State of Nevada, That Esther D. Thompson, Janine Sagues and Martha E. Herndon are elected as additional attaches of the assembly for the 62nd session of the legislature of the State of Nevada.

Assemblyman Jeffrey moved the adoption of the resolution.
Resolution adopted unanimously.

Senate Joint Resolution No. 8.
Assemblyman Jeffrey moved that the resolution be referred to the Committee on Judiciary.
Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:
Assembly Bill No. 235—An Act relating to motor vehicles; increasing the agent's fee for the registration of a motor vehicle; and providing other matters properly relating thereto.
Assemblyman Dini moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

By the Committee on Government Affairs:
Assembly Bill No. 236—An Act relating to the county airport funds; requiring the allocation of the money in a county airport fund to include an airport authority if one has been created; and providing other matters properly relating thereto.
Assemblyman Dini moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

By the Committee on Judiciary:
Assembly Bill No. 237—An Act relating to burglary; increasing the maximum term of imprisonment from 10 to 15 years; and providing other matters properly relating thereto.
Assemblyman Stewart moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Judiciary:
Assembly Bill No. 238—An Act relating to murder of the first degree; enlarging the evidence considered in the penalty hearing; requiring a sentence of death under certain circumstances; and providing other matters properly relating thereto.
Assemblyman Stewart moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Senate Bill No. 39.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Natural Resources, Environment and Agriculture.
Motion carried.

Senate Bill No. 44.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Legislative Functions.
Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 28.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 66.

Amend section 1, page 1, line 3, by deleting "five" and inserting "[five] *three*".

Amend section 1, page 1, line 6, by deleting "*an attorney.*" and inserting: "*a representative of the general public.*".

Amend section 1, page 1, by deleting lines 11 through 13 and inserting:

"*3. The governor shall appoint for each member an alternate who:*

(a) Is a representative of the same group of persons as the member for whom he is appointed; and

(b) Shall serve in the absence of that member.".

Amend the bill as a whole by adding new sections designated sections 2 through 5, following section 1, to read as follows:

"Sec. 2. NRS 284.035 is hereby amended to read as follows:

284.035 No member of the commission [shall] *or his alternate may* have held a partisan political office or have been an employee of the state within the calendar year immediately preceding his appointment, nor [shall] *may* he seek or hold such an office or employment during his term as a member of the commission [.] *or as an alternate.*

Sec. 3. NRS 284.040 is hereby amended to read as follows:

284.040 1. The members of the commission [shall] *and their alternates* serve at the pleasure of the governor, but no appointment [shall] *may* extend beyond [a period of] 4 years [from] *after* the date of expiration of the preceding appointment.

2. Continued absence from meetings [shall constitute] *constitutes* good and sufficient cause for removal of a member by the governor.

Sec. 4. NRS 284.045 is hereby amended to read as follows:

284.045 While engaged in official business of the personnel division, the members of the commission *and their alternates* are entitled to receive a salary of $60 per day and the per diem expense allowance and travel expenses as provided [by law.] *for state officers and employees.*

Sec. 5. NRS 284.055 is hereby amended to read as follows:

284.055 1. The members of the commission shall meet at such times and at such places as [shall be] *are* specified by the call of the chairman or a majority of the commission, but a meeting of the commission [shall] *must* be held at least once every 3 months.

2. [Three members of the commission shall constitute a quorum. A quorum may exercise all the power and authority conferred on the commission, but no rules or regulations shall be adopted, amended or rescinded except by a majority vote of the entire membership of the commission.

3.] The commission shall keep minutes of the transactions of each meeting, regular or special, which [shall] *must* be filed with the personnel division and [shall be] *are* public records.".

Amend the title of the bill, first line, after "commission;" by inserting: "changing the number of members;".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Joint Resolution No. 21 of the 61st Session.

Resolution read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 29.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 29:

YEAS—42.

NAYS—None.

Assembly Bill No. 29 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 82.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 82:

YEAS—42.

NAYS—None.

Assembly Bill No. 82 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 84.

Bill read third time.

Remarks by Assemblyman Collins.

Roll call on Assembly Bill No. 84:

YEAS—42.

NAYS—None.

Assembly Bill No. 84 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 140 be taken from the General File and re-referred to the Committee on Ways and Means.

Remarks by Assemblyman Bergevin.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 111, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Schofield:

Assembly Bill No. 239—An Act relating to lotteries; clarifying the definition so it specifically excludes gratuitous drawings; and providing other matters properly relating thereto.

Assemblyman Schofield 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 Concurrent Resolution No. 9; Assembly Resolution No. 7.

REMARKS FROM THE FLOOR

Assemblyman Chaney requested that Assemblyman Getto's remarks be entered in the Journal:

I would like to give the Assembly a little lesson in legislative history. Although Assembly Bill No. 82 is not a monumental piece of legislation, I want to commend the State Nurses Board for requesting it. In 1973, I was asked to introduce a piece of legislation for them. It was the first attempt to have a public member placed on a professional board. I was pleased to see that this time they have made the public member a full-fledged member. I wanted to bring that to your attention. I think that there are a lot of other professional boards that ought to be looking in the same direction.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pauline Holzhauer.

On request of Mr. Speaker and Assemblyman Bilyeu, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Lindsay Bilyeu.

On request of Assemblyman Bilyeu, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Susan Bilyeu, Suzanne Sawyer Bilyeu, Mrs. Nancy Bilyeu and Ms. Lois Boudwin.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Candy Bogaert.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pat Heiss, Messrs. John Polish and John Kincheloe.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Ben Sweet and Boyd Steele.

On request of Assemblyman Kovacs, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Chris Haase and Tim Kovacs.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Jackey Chastain and Lucille May.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kelly Abend and Dina Ganter.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Kim Sedway.

On request of Assemblyman Berkley, the privilege of the floor of the Assembly Chamber for this day was extended to Master Maxwell Abraham Berkley and Ms. Anna Cavanaugh.

On request of Assemblyman Perry, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Thomas R. Stuchman.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, February 22, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:43 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-SEVENTH DAY

CARSON CITY (Tuesday), February 22, 1983

Assembly called to order at 11:02 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Douglas C. Thunder.

O Lord, your goodness and mercy are new and fresh for us each day. As these leaders, whom your people have selected, meet on this anniversary of the birthday of our first president, George Washington, we thank you for the many blessings you have given us through people like him. When the members of this assembly confront the challenges of this day, fill them with imagination and insight, foresight and dedication, so that their solutions be both creative and beneficial to all whom they represent. Provide all that they need and give them the courage to use their talents and abilities to the fullest in their serving. Lord, in your mercy, hear our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Joint Resolution No. 32 of the 61st Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 138, 154, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 21, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 69, 123, 125, 126, 141, 159.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 7.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Marvel and Bergevin:

Assembly Bill No. 240—An Act relating to the taxation of the net

proceeds of mines; changing the reporting period; and providing other matters properly relating thereto.

Assemblyman Marvel moved that the bill be referred to the Committee on Economic Development, Tourism and Mining.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 241—An Act relating to the subdivision of land; authorizing the real estate division of the department of commerce to establish fees for inspecting proposed advertising of subdivisions for sale and for inspecting the subdivisions; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 242—An Act relating to the subdivision of land; limiting the exemption of land located outside of Nevada by requiring inspection of certain lots before sale; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 243—An Act relating to criminal procedure; authorizing the state to appeal to the district court from an order of a justice's court granting a motion to dismiss; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 244—An Act relating to firearms; prohibiting the possession of a firearm on school property or in a school building; providing exceptions; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 245—An Act relating to battery; increasing the penalty for battery which results in substantial bodily harm to the victim; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 246—An Act relating to criminal procedure; making

various changes regarding preliminary examinations; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Stone:

Assembly Bill No. 247—An Act relating to industrial insurance; extending the time for scheduling a hearing before the appeals officer; extending the time for an appeals officer to render his decision; and providing other matters properly relating thereto.

Assemblyman Stone moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 7.

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

Motion carried.

Senate Bill No. 69.

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

Motion carried.

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

Assembly in recess at 11:10 a.m.

ASSEMBLY IN SESSION

At 11:15 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 123.

Assemblyman Stewart moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 125.

Assemblyman Stewart moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 126.

Assemblyman Stewart moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 141.

Assemblyman Stewart moved that the bill be referred to the Commitee on Government Affairs.

Motion carried.

Senate Bill No. 159.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 147, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 48, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 111.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 77.

Amend section 1, page 2, line 1, after "*by the*", by inserting "*medical*".

Amend section 1, page 2, line 2, after "*The*" by inserting "*medical*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 20 be taken from the General File and re-referred to the Committee on Ways and Means.

Remarks by Assemblyman Jeffrey.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 76.

Bill read third time.

Remarks by Assemblymen Nicholas and Bergevin.

Assemblyman Thompson moved that Assembly Bill No. 76 be taken from the General File and re-referred to the Committee on Natural Resources, Environment and Agriculture.

Remarks by Assemblymen Bergevin and Thompson.

Motion carried.

Assembly Bill No. 79.
Bill read third time.
Remarks by Assemblymen Thompson and Bogaert.
Roll call on Assembly Bill No. 79:
YEAS—42.
NAYS—None.

Assembly Bill No. 79 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 80.
Bill read third time.
Remarks by Assemblyman Perry.
Roll call on Assembly Bill No. 80:
YEAS—42.
NAYS—None.

Assembly Bill No. 80 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 21 of the 61st Session.
Resolution read third time.
Remarks by Assemblyman May.
Roll call on Senate Joint Resolution No. 21 of the 61st Session:
YEAS—42.
NAYS—None.

Senate Joint Resolution No. 21 of the 61st Session having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Schofield, Coffin, Kovacs, Stewart, Sedway, Malone, Francis and Thomas:

Assembly Joint Resolution No. 11—Urging the Congress of the United States to prohibit the storage of high-level radioactive waste at the Nevada Test Site.

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

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Schofield, Jeffrey, Vergiels, Dini, Nevin, Price, Coffin, Bourne, Stewart, Sedway, Malone, Joerg and Thomas:

Assembly Bill No. 248—An Act relating to public lands; allowing the state land registrar to purchase urban land to lease for private development; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Concurrent Committees on Economic Development, Tourism and Mining and Government Affairs.

Motion carried.

By Assemblyman Schofield:

Assembly Bill No. 249—An Act relating to education; emphasizing the requirement that school districts provide special educational programs for academically talented minors; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 14; Senate Bill No. 30.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Robert Seale.

On request of Assemblyman Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. George Dowell and Mrs. Carol Dowell.

On request of Assemblyman Bremner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Linda Cozine.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jim Wilkerson.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Thelma Sanders.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Dale Huntsman and Ms. Karma Huntsman.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. Don W. Driggs.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Karen Hayes.

Assemblyman Stewart moved that the Assembly adjourn until Wednesday, February 23, 1983, at 11 a.m., and that it do so in memory of George Washington.

Motion carried.

Assembly adjourned at 11:54 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-EIGHTH DAY

CARSON CITY (Wednesday), February 23, 1983

Assembly called to order at 11:07 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Douglas C. Thunder.

Help us all, O Lord, in the tasks before us this day. Make us wise in our thinking; strong in our serving; patient in our listening; eloquent in our speaking; kind in our interacting; and loving in our responding. Support and guide these your servants in their consideration of the issues before them; which reflect the needs and problems, the desires and aspirations of the residents of this great state. Move all of us more toward reaching out to one another, especially those in the midst of difficult times and situations. Lord, in your mercy, hear our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 160, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Assembly Bills Nos. 198, 200, 201, 203, 205, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Concurrent Resolution No. 8, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 22, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 7, 8, 9, 10, 11, 32.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 6 and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 111, 139.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 18, 109, 121, 130.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 3.

MAE LOFTHOUSE
Assistant Secretary of the Senate

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

Assembly in recess at 11:11 a.m.

ASSEMBLY IN SESSION

At 11:19 a.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 39, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 23, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 12.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Vergiels, Brady, Ham, Berkley, Malone, Bogaert, Stone, Bourne, Collins, Getto, Nicholas, Price, Nevin, Kerns, Swain, Humke, Banner, Zimmer, Bilyeu, Francis, Sader, Thompson, May, Craddock, Jeffrey, Fay, Joerg, Chaney, Thomas, Beyer, Perry, Sedway, Marvel, Bergevin, Dini, Stewart, Schofield, Kovacs, Redelsperger, DuBois, Bremner and Coffin:

Assembly Joint Resolution No. 12—Memorializing the Congress of the United States to repeal the requirement for the withholding of income tax from interest and dividends paid.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Commerce.

Motion carried.

Assembly Concurrent Resolution No. 8.

Assemblyman Sader moved the adoption of the resolution.

Remarks by Assemblyman Sader.

Resolution adopted unanimously.

By the Committee on Economic Development, Tourism and Mining:

Assembly Concurrent Resolution No. 12—Authorizing expenditure

from the legislative fund for the payment of the expenses of certain members for their attendance at a certain workshop.

Assemblyman Price moved that the resolution be referred to the Committee on Ways and Means.

Motion carried.

Senate Joint Resolution No. 3.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Taxation.

Motion carried.

Senate Concurrent Resolution No. 12.

Assemblyman Berkley moved the adoption of the resolution.

Remarks by Assemblyman Berkley.

Resolution adopted unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 142, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Banner:

Assembly Bill No. 250—An Act relating to county recorders; reducing the time allowed for recording the certificate of marriage; allowing documents to be indexed by an optical scanner or magnetic tapes produced by a computer and reducing the fees; clarifying the fees charged for the relocation of an abandoned lode claim; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 251—An Act relating to industrial insurance; repealing the employer's option to provide accident benefits for his employees; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 252—An Act relating to occupational diseases; making assorted changes in the law relating thereto; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 253—An Act relating to industrial insurance;

providing for the payment of dividends based on the experience of employers; amending provisions on the rating system and the failure of an employer to provide coverage; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 254—An Act relating to industrial insurance; making assorted changes in the law relating thereto; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 255—An Act relating to industrial insurance; authorizing the state industrial insurance system to hear appeals concerning employers' accounts; authorizing the system to impose penalties upon employers failing to comply with requirements for reporting payrolls and premiums; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 256—An Act relating to the tax on cigarettes; increasing its rate; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Ham, Getto, Malone, Bergevin, Fay, Banner, Stone, Bilyeu, Berkley, Collins, Humke and Swain:

Assembly Bill No. 257—An Act relating to children; providing a right of visitation for grandparents after the death or divorce of a parent; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Joerg and Thomas:

Assembly Bill No. 258—An Act relating to Carson City; making various amendments to its charter; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Marvel:

Assembly Bill No. 259—An Act relating to mining claims; requiring the county recorder to keep a list of all mining claims located; requiring

the county recorder to notify the county surveyor of those claims for which no proof of labor or notice of intention to hold is filed; requiring the county surveyor to remove those claims from the county's map of mining claims; and providing other matters properly relating thereto.

Assemblyman Marvel moved that the bill be referred to the Committee on Economic Development, Tourism and Mining.

Motion carried.

By Assemblymen Malone, Schofield, Ham, Bogaert, Fay, Bergevin, Collins, Price, Marvel, Perry, Humke, Sader, Thompson, Redelsperger, Berkley, Craddock, Kerns, Bilyeu, Francis, Joerg, Sedway, Brady, Nevin, Stone, May, Chaney, Nicholas, DuBois, Kovacs, Bourne, Thomas, Zimmer, Swain, Beyer, Dini, Banner and Vergiels:

Assembly Bill No. 260—An Act relating to wildlife; providing for the expiration of fishing and hunting licenses 1 year from date of issuance; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 261—An Act relating to contractors; authorizing the state contractors' board to issue a cease and desist order to a person acting as a contractor without a license; making certain contracts voidable; removing bankruptcy as a ground for disciplinary action; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Legislative Functions:

Assembly Bill No. 262—An Act relating to the duties of the secretary of state; permitting display of the enrolled copy of the state constitution in the legislative building; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

By the Committee on Government Affairs:

Assembly Bill No. 263—An Act relating to public officers; permitting the hiring of a relative when his salary is paid out of fees retained; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 264—An Act relating to the state industrial insurance system; providing for the management of real property owned by the system; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 265—An Act relating to holidays; establishing a day to observe the birthday of Martin Luther King, Jr.; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 18.

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

Motion carried.

Senate Bill No. 109.

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

Motion carried.

Senate Bill No. 111.

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

Motion carried.

Senate Bill No. 121.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 130.

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

Motion carried.

Senate Bill No. 139.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 48.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 61.

Amend section 1, pages 1 and 2, by deleting lines 3 through 17 on page 1 and lines 1 through 3 on page 2 and inserting:

"*1. It is unlawful for any person intentionally to:*

(a) Interfere with the lawful hunting of game animals or the lawful trapping of fur-bearing animals.

(b) Harass, drive or disturb any game animal.

For the purpose of this subsection, hunting or trapping is "lawful" only if permitted by the owner of the land, in addition to any requirement of license or permit from a public authority.

2. The provisions of subsection 1 do not apply to any incidental interference arising from lawful activity by users of the public land, including without limitation ranchers, miners or persons seeking lawful recreation.".

Amend the title of the bill to read as follows:

"An Act relating to hunting; prohibiting interference with hunting or trapping and the harassment of game animals; providing a penalty; and providing other matters properly relating thereto.".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 138.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 147.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 154.

Bill read second time, ordered engrossed and to third reading.

Senate Joint Resolution No. 32 of the 61st Session.

Resolution read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 28.

Bill read third time.

Remarks by Assemblymen Dini and Bogaert.

Roll call on Assembly Bill No. 28:

YEAS—40.

NAYS—Bogaert, Stone—2.

Assembly Bill No. 28 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 262.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 262:

YEAS—42.

NAYS—None.

Assembly Bill No. 262 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Resolution No. 8.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Vicki Brende.

On request of Assemblyman Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marie Giambruno and Pat DiLoreto.

On request of Assemblyman Brady, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Elaine Frankovich.

On request of Assemblyman Bremner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Margot LeBlanc Barton.

On request of Assemblyman Chaney, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sally Green.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Julie Doyle.

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

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Linda Jackson and Cheryl Hinman.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Madeline Andress and Kathy Mandell.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rosemary Pressler.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. and Mesdames Wayne Marteney and Wayne Hage.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Adele Koot.

On request of Assemblyman Perry, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ardyth Brown.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marti Hafen and Romietta Hawkins.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Dagmar Copenhaver.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Nancy Hunterton and Priscilla Scalley.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sharon Beatty.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sara Danzinger.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jim Crites.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marietta Tiberti.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sue Borns.

On request of Assemblyman Berkley, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lynda Wohletz.

On request of Assemblyman Coffin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sandy Seiler.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Pio Galantuomini.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary Ellen McMullen, Sandy Rogers, Helen Getto and Mr. Bob Getto.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Bobbi Gang.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Linda Levitt.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Colonel Carl Hornbuckle.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol des Enfants and Nancy Olsen.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, February 24, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:08 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE THIRTY-NINTH DAY

CARSON CITY (Thursday), February 24, 1983

Assembly called to order at 11:03 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, Rabbi Paul Tuchman.

Our God and Father, we come before you in humility and awe, conscious of our weighty responsibilities. We ask for your loving guidance. We call your blessing upon this house. Strengthen its members in compassion and justice, honesty and fairness. Well do they know, Lord, that they have been called to an important task. Let them feel your helping hand, leading them in holiness to fulfill their obligations. May they always be as instruments by which you bless us. May our hearts yearn to receive you with awe and gladness, and may you fulfill the desires of our hearts for good purposes.

Let us say,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Brady 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 89, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 181, 182, 183, 185, 186, 219, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 40, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 23, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 84.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 81.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 81.

Assemblyman Brady moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 84.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 39.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 90.

Amend section 1, page 1, by deleting lines 10 through 12 and inserting:

"*I AM NOT AN ATTORNEY IN THE STATE OF NEVADA. I AM NOT LICENSED TO GIVE LEGAL ADVICE. I MAY NOT ACCEPT FEES FOR GIVING LEGAL ADVICE.*".

Amend section 1, page 1, line 15, by deleting "*commission*" and inserting "*appointment*".

Amend section 1, page 1, line 17, by deleting "*commission*" and inserting "*appointment*".

Amend section 1, page 1, by inserting after line 18:

"*3. A notary public who is found guilty in a criminal prosecution of violating subsection 1 may be punished by a fine of not more than $2,000.*".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 160.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 198.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 200.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 201.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 203.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 205.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 142.

Bill read second time and ordered to third reading.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:13 a.m.

ASSEMBLY IN SESSION

At 11:22 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 16, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Concurrent Resolution No. 7, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 7.

Assemblyman Dini moved the adoption of the resolution.

Remarks by Assemblymen Dini and Craddock.

Assemblyman Dini requested that the following letter be entered in the Journal:

NEVADA LEGISLATURE
SIXTY-SECOND SESSION

February 23, 1983

JOHN M. VERGIELS, *Speaker Nevada Assembly, Nevada Legislature,* Carson City, Nevada 89710

Dear Mr. Speaker:

We have currently Senate Concurrent Resolution No. 7 concerning utility rate making and as a matter of legislative intent, I would like to relay to you my feelings on what this study should consist of.

I don't believe that the authorized study should just be a whitewash of what the PSC is doing nor should it be a condemnation of utility companies. I would like to propose the following questions and subjects of inquiry be made part of the study:

Questions:

1. Are current authorized public utility rates of return and rate levels necessary, fair and consistent with minimum legal and constitutional requirements and comparable with those allowed by public utility commissions in other states?

2. Is the Public Service Commission of Nevada (PSCN) adequately exercising its legislative responsibilities in balancing the needs of the ratepayers and the public utilities in fulfilling its regulatory and rate-making responsibilities?

3. Is the composition of the PSCN adequate to meet the needs and interests of Nevada's consumers and the public utilities during the 1980's?

Subjects of Inquiry:

1. Review the present composition, staffing, budget and effectiveness of the PSCN.
2. Determine to what extent the expenses allowed in determining rates are reasonable and necessary and whether the present historic test period should be modified to reflect current conditions.
3. Determine whether there is a present need for additional plant facilities to be constructed at a high capital cost which require a high rate of return on the newly invested utility capital.
4. Determine whether the present structure of rates charged fairly distributes the costs of service among the respective classes of consumers.
5. Determine whether proven regulatory procedures or policies exist which would minimize the long-range escalation in public utility rates.
6. Determine the impact of a utility's bond rating on financing costs which must be borne by the ratepayer.

Sincerely,

JOSEPH E. DINI, JR.
Chairman
Government Affairs Committee

Assemblyman Craddock requested that his remarks be entered in the Journal:

Mr. Speaker, I would like the record to reflect that I would like the committee, when they are looking into this, to take a long-range look at the effect of the rate-making structure, and not just a cosmetic, short-term approach.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 266—An Act relating to subdivisions of land; removing a requirement that a final map for a subdivision be approved by certain state agencies regarding supply of water and disposal of sewage; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 267—An Act relating to real estate division of the department of commerce; providing for the deposit in the state general fund of fees received by the division for certain examinations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 268—An Act relating to taxation; providing for the submission to the registered voters at the general election of 1984 of the question whether the Sales and Use Tax Act of 1955 should be amended to exempt contractors who are working for the State of Nevada or any of its political subdivisions from the tax; contingently making

similar specifications to other taxes on retail sales; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 269—An Act relating to building and related codes; repealing the imposition of the latest edition; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 270—An Act relating to naturopathy; expanding the scope of practice of naturopathic physicians; expanding the educational requirements for a license to practice naturopathic medicine; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Bergevin, Marvel, Bogaert, Humke, Bilyeu, Joerg, Zimmer, Thomas and Brady:

Assembly Bill No. 271—An Act relating to railroads; permitting crews of trains to conform to labor agreements; and providing other matters properly relating thereto.

Assemblyman Bergevin moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen DuBois, Bilyeu, Stewart, Nicholas, Perry, Humke, Redelsperger, Thomas, Malone, Bogaert, Berkley, Zimmer, Kerns, Brady, Bremner, Marvel, Beyer, Thompson, Ham, Banner, Getto, Schofield, Coffin, Francis, Joerg, Craddock, Dini, Nevin, Stone, Jeffrey, Bergevin, Fay and Kovacs:

Assembly Bill No. 272—An Act relating to welfare; requiring certain counties to establish a program to require persons to perform work as a condition of receiving aid to dependent children; authorizing other counties to establish such a program; providing for coverage by industrial insurance of persons performing such work; and providing other matters properly relating thereto.

Assemblyman DuBois moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Chaney, Collins, Swain, Sedway, Bourne, Kovacs, Zimmer, Ham, Getto, Banner, Nevin, Stone, Bogaert, May, Stewart, Fay, Jeffrey, Sader, Perry, Price, Bergevin, Malone, Marvel, Bremner, Schofield, Beyer, Thomas, Francis, Joerg, DuBois, Nicholas, Brady,

Dini, Thompson, Redelsperger, Humke, Berkley, Craddock, Kerns, Bilyeu, Vergiels and Coffin:

Assembly Concurrent Resolution No. 13—Commemorating Black History Month and commending the Black citizens of Nevada.

WHEREAS, Black people have played a significant role in the development of this nation, overcoming obstacles which would have been insurmountable had they not been dedicated to the principle of the equality of mankind; and

WHEREAS, The month of February has become an annual reminder of the invaluable contributions Blacks have made nationally, as well as locally, to the cause of freedom; and

WHEREAS, This past month has been set aside for Americans to reflect on the progress made by a race of people who continue to display pride in their heritage and strength while facing the future; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That this legislature commends the Black citizens of Nevada on the many contributions they have made in the development of this state and commemorates February as Black History Month.

Assemblyman Chaney moved the adoption of the resolution.

Remarks by Assemblymen Chaney and Collins.

Assemblyman Schofield requested that the following remarks be entered in the Journal:

ASSEMBLYMAN CHANEY:

First, Mr. Speaker, I would like to thank you and the members of the Assembly for their support of the resolution. I would also thank those local governments of the cities and counties that took these same steps in honoring and recognizing the month of February as Black History Month. There have been a lot of interesting things happening this month which make me feel that it has not only been inspirational to the Blacks in the State of Nevada, but also the White community. I would like to mention the fact that Blacks have played a great role in the history and the making of this country, and it is good to see that we are now getting to the stage where we are recognizing those people and those things that have existed for many years and which we have let slip by unrecognized for one reason or another. I would like to mention a few, if I may. In the field of athletics, in 1966 Bill Russell was named the first head coach of a basketball team. That is getting pretty close to the present as that was not too long ago. In 1947, Jackie Robinson broke the color line in baseball. We could talk about Joe Louis and Mohammed Ali and a lot of greats in the field of athletics, but we have played not only a great role in athletics, but also in many other areas of history making.

In 1621 William Tucker was the first Black to be born in an American colony. I think that is something we can look back at and see that it was a history making event for Blacks. In 1845 Malcolm Allen was the first black to be admitted to the bar in Massachusets, which was an important history making event. One interesting thing I didn't know until recently is that Ruth Hill, in 1958, was the first Black stewardess to be hired on one of the major airlines. That was Mohawk Airlines.

Another interesting thing that happened recently, but which will go down in history as a history-making item, is that in 1973, both Tom Bradley and Colman Young were elected as the first Black mayors of cities which had a population of over one million people. There are many other things we could go into when talking about the achievements and accomplishments of Blacks, but we have to look at things even closer. In 1973, our first Black state senator was elected. Just prior to that, the first Black, Woodrow Wilson, served in the Nevada Legislature.

Even closer to home we have to look and see that there are other folks who have done things which are happening now that our children will be able to point to and to achieve themselves in bodies like this. They can look at what we are doing and achieve these things themselves. The things that have been accomplished by Blacks in the past, such as the first transfusion performed by a Black, are not the end. I find this most inspirational. The people who have accomplished these things in the past and resolutions like the one we have here today will encourage the people existing today to realize that the things of the past are not a shutout. The things of the past are still being expanded upon, and this kind of resolution and the kind of support that you show give us the

initiative to go on and expand and encourage the young people we now serve. They can see that whatever the Blacks have accomplished in the past was not in vain, and they will be encouraged to go on and achieve greater goals. I urge your support of this resolution.

ASSEMBLYMAN COLLINS:

Mr. Speaker and fellow Assemblymen, as you know, this is Negro History Month. I don't have to tell you what achievements we have made since we have been here. Since we are all immigrants from someplace else, we have all contributed to the success of America. And may I add that we will always contribute to America, because this is our land. However, as you know, we are not only paying tribute to those in the past. We have some people who are living that we must pay tribute to also. I am referring to those people who have taken the time to help those who cannot help themselves. I am talking about those leaders we have throughout the state in the north as well as the south, who have taken the time to help the underprivileged; who have taken the time to help the senior citizens; who have taken the time to help our children. On this day I ask this body to pass this resolution. Thank you, Mr. Speaker.

Resolution adopted unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 111.
Bill read third time.
Remarks by Assemblymen Thompson, Dini and Banner.
Roll call on Assembly Bill No. 111:

YEAS—42.
NAYS—None.

Assembly Bill No. 111 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 138.
Bill read third time.
Remarks by Assemblyman Thomas.
Roll call on Assembly Bill No. 138:

YEAS—41.
NAYS—None.
Not voting—Marvel.

Assembly Bill No. 138 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 147.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Bill No. 147:

YEAS—42.
NAYS—None.

Assembly Bill No. 147 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 154.
Bill read third time.
Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 154:

YEAS—42.
NAYS—None.

Assembly Bill No. 154 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 32 of the 61st Session.

Resolution read third time.

Remarks by Assemblymen Berkley, Getto and Stewart.

Roll call on Senate Joint Resolution No. 32 of the 61st Session:

YEAS—42.
NAYS—None.

Senate Joint Resolution No. 32 of the 61st Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Joint Resolution No. 39 of the 61st Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDWARD J. KOVACS, *Chairman*

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 7, 8, 9, 10, 11, 32; Senate Joint Resolution No. 21 of the 61st Session.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bilyeu, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary Jean Buffington and Mr. Chet Bate.

On request of Assemblyman Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ollie Westbrook and Ms. Helen Westbrook.

On request of Assemblymen Chaney and Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lorraine B. Smith and Mr. Eddie Scott.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jane Moon, Ann Jones, Allene Davis, Julia Sanders, Mary Francus Strong, Martha Davis, Cheryl E. Jackson, Mary Hall, Reverend William C. Webb, Messrs. William N. Moon, Henry Davis, Jr. and R. L. Tolliver.

On request of Assemblyman Coffin, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Pat Znosko,

Jackie Squire, Jackie Poling, Diane Nevers, Pat Poniewaz, Mr. and Mrs. Ron French, Mr. John DeMarco, Sister Margaret Richard and students from St. Joseph's Catholic School, Las Vegas, Nevada: Rene Allen, Sandra Allred, John Ameriks, Bridgette Ames, Manuel Benogochea, Jeana Curtis, Danielle Daidone, Bo Free, Billy French, Marianne Gaudy, Patricia Gibson, Bridget Hahn, Amy Lamare, Eva Liang, Cynthia Manabat, Garrett Mattimoe, Shane Milano, Kelly Nevers, Mark Place, Mia Pitts, Bobby Poling, James Poniewaz, Patrick Rajsky, Sean Rowland, Luchiata Sanchez, David Sanger, Susan Squire and Sandra Troxel.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Patrick Rojsky and Thomas Free.

On request of Assemblyman Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rosalie Trupiano.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Ted Zimmerman and Arnold Zimmerman.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. R. D. French and William "Bill" French.

On request of Assemblyman Perry, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bobby Perry.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. George Brizendine.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Shannon Fitzgerald, Bertha Mullins, Dorothy Jean Lawson, Messrs. B. B. Bufkins, Jerry Halloway, Willie Ledet and Reverend A. D. Towner.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Reverend Onie Cooper.

Assemblyman Brady moved that the Assembly adjourn until Friday, February 25, 1983, at 11 a.m., and that it do so in honor of Black History Month.

Motion carried.

Assembly adjourned at 12:05 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTIETH DAY

CARSON CITY (Friday), February 25, 1983

Assembly called to order at 11 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Douglas C. Thunder.

Heavenly Father, we ask your blessing upon all of us this morning. Grant that we may be guided through this day and all the days of this session by your firm but gentle hand.

Keep us ever mindful of what our true priorities are, and give us the humility and sense of service to you and to the people we represent to do our duties well.

Grant to us the clarity of mind and farsightedness to do what is truly in the best interest of the people of this great state.

Give us the courage of our convictions to stand firm in what we truly believe is right.

Help us to remember that "...strait is the gate and narrow is the way,...and few there be that find it."

Guide us, O Lord, in our efforts toward that path.

Lord, in your mercy, hear our prayer.

AMEN.

PRAYER WRITTEN BY ASSEMBLYMAN COURTENAY SWAIN

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Education, to which were referred Assembly Bills Nos. 176, 177, 178, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 175, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and re-refer to the Committee on Ways and Means.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 118, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 24, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 47, 62, 104, 262.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 30 of the 61st Session.

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

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 129, 157.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 42, 122.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Bourne, Kovacs, Nevin, Stone, Fay, Swain, Zimmer, Bogaert, Schofield, Thomas, Beyer, Sader, Banner, Ham, Getto, Bilyeu, Kerns, Joerg, Sedway, DuBois, Humke, Collins, Thompson, Vergiels, Berkley, Malone, Bergevin, Jeffrey, Craddock, Marvel, May, Dini, Brady, Redelsperger, Stewart, Bremner and Coffin:

Assembly Bill No. 273—An Act relating to insurance; requiring the commissioner of insurance to hire a person who is a specialist in containing the costs of health care; requiring that employee to administer the program for the accounting and financial reports for health and care facilities; and providing other matters properly relating thereto.

Assemblyman Bourne moved that the bill be referred to the Concurrent Committees on Commerce and Ways and Means.

Motion carried.

By Assemblyman Ham:

Assembly Bill No. 274—An Act relating to insurance; allowing fees to be charged by the coordinating organization of surplus lines brokers; and providing other matters properly relating thereto.

Assemblyman Ham moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Malone, Stewart, Humke, Berkley, Ham, Stone, Nevin, Fay, Getto, Bogaert and Bergevin:

Assembly Bill No. 275—An Act relating to pandering; requiring imprisonment upon conviction; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 42.

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

Motion carried.

Senate Bill No. 122.

Assemblyman Stewart moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 129.

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

Motion carried.

Senate Bill No. 157.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 40.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 103.

Amend section 1, page 1, by deleting line 6 and inserting: "*10 days after the child is removed, if the parent or custodian requests such a preliminary hearing, the district attorney shows cause for*".

Amend sec. 3, page 3, by deleting line 15 and inserting: "[probation officer of the appropriate county. The probation officer] *welfare division of the department of human resources or the corresponding agency of the county. The division or agency*".

Amend sec. 3, page 3, line 18, by deleting "probation officer" and inserting: "[probation officer] *division or agency*".

Amend sec. 3, page 3, line 21, after "[Decision]", by inserting: "*If the division or agency recommends the filing of a petition, it shall also recommend to the court a program of counseling and rehabilitation for the family.*".

Amend sec. 3, page 3, by deleting lines 23 through 25 and inserting:

"2. If the [probation officer] *division or agency* refuses to recommend the filing of a petition, *it shall notify* the complainant [shall be notified by the probation officer] of his right to a review of his complaint by the district attorney.".

Amend sec. 3, page 3, lines 27 and 28, by deleting "probation officer" and inserting: "[probation officer] *division or agency*".

Amend sec. 3, page 3, line 37, by deleting "probation officer." and inserting: "[probation officer.] *division or agency.*".

Amend sec. 3, page 3, line 41, by deleting "probation officer," and inserting: "[probation officer,] *division or agency,*".

Amend sec. 5, page 5, line 28, by inserting after the period: "*The hearing must be held within 90 days after the preliminary inquiry, or the preliminary hearing if one is held. A copy of any written report to be used at the hearing must be delivered to the parents or guardian of the child at least 7 days before the hearing.*".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 48.
Bill read third time.
Remarks by Assemblymen Getto and Thompson.
Roll call on Assembly Bill No. 48:
YEAS—42.
NAYS—None.

Assembly Bill No. 48 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 160.
Bill read third time.
Remarks by Assemblyman Francis.
Roll call on Assembly Bill No. 160:
YEAS—42.
NAYS—None.

Assembly Bill No. 160 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 198.
Bill read third time.
Remarks by Assemblymen Joerg and Stewart.
Roll call on Assembly Bill No. 198:
YEAS—38.
NAYS—Dini.
Not voting—Collins, Sader, Stewart—3.

Assembly Bill No. 198 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 200.
Bill read third time.
Remarks by Assemblyman Francis.
Roll call on Assembly Bill No. 200:
YEAS—42.
NAYS—None.

Assembly Bill No. 200 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 201.
Bill read third time.
Remarks by Assemblyman Zimmer.

Roll call on Assembly Bill No. 201:

YEAS—42.

NAYS—None.

Assembly Bill No. 201 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 203.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 203:

YEAS—42.

NAYS—None.

Assembly Bill No. 203 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 205.

Bill read third time.

Remarks by Assemblymen Price and DuBois.

Roll call on Assembly Bill No. 205:

YEAS—42.

NAYS—None.

Assembly Bill No. 205 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 142.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Senate Bill No. 142:

YEAS—42.

NAYS—None.

Senate Bill No. 142 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Craddock moved that Assembly Bill No. 175 be re-referred to the Committee on Ways and Means.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 125, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 89.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 181.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 182.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 183.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 185.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 186.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 219.
Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 16.
Bill read second time and ordered to third reading.

Senate Joint Resolution No. 39 of the 61st Session.
Resolution read second time and ordered to third reading.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Speaker announced that in accordance with the provisions of Senate Concurrent Resolution No. 7, he was hereby appointing Assemblymen Marvel, Nevin and Sedway to serve as members of the special joint committee to study rates charged by public utilities, and that Senators Lamb, Horn and Jacobsen will serve as Senate members with the first-named Senator being the Chairman.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Malone:

Assembly Bill No. 276—An Act relating to taxation; providing for submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to provide exemptions from the tax for batteries for hearing aids and wheelchairs; creating similar exemptions from certain analogous taxes; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 6.
The following Senate amendment was read:
Amendment No. 53.

Amend section 1, page 1, line 18, by deleting "*arrange for such a meeting,*" and inserting: "*call a meeting of the subcommittee,*".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 6.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Concurrent Resolution No. 12.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sandra Jolley.

Assemblyman Stewart moved that the Assembly adjourn until Monday, February 28, 1983, at 10:30 a.m.

Motion carried.

Assembly adjourned at 11:42 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-THIRD DAY

CARSON CITY (Monday), February 28, 1983

Assembly called to order at 10:32 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Robert H. Schwartz.

Dear Lord, we pray here in this significant chamber of law, with heads bowed as we stand before a portrait of Abraham Lincoln.

Dear God, in his time, among his people, he had a destiny to fulfill, wrongs to right and principles to lift high. Even as he did not aspire after popular greatness, let us pursue only faithfulness to do our best.

Help each one of us, in the context of our own lives and in the midst of the potential of our own circumstances likewise to fulfill our own destiny with wrongs to right and principles to stand by. In your name and spirit.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Joint Resolution No. 2 of the 61st Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDWARD J. KOVACS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 90, 115, 117, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bill No. 50, Senate Joint Resolution No. 33 of the 61st Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 133, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 25, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 152.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 25 of the 61st Session.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 1, 2, 7.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day adopted, as amended, Assembly Concurrent Resolution No. 10, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 158, 160, 165.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Getto, Schofield, Ham, Humke, Bilyeu, Kerns, Nevin, Price, Thompson, Thomas, Craddock, Zimmer, Bergevin, Bremner, Marvel, Berkley, Vergiels, Joerg, Bourne, Banner, Fay, Malone, Kovacs, Sader, Nicholas, Stone, Brady, Jeffrey, Stewart, Collins, May, Swain, Bogaert, Redelsperger, Francis, Coffin, Perry, Sedway, Dini, Beyer, Chaney and DuBois:

Assembly Concurrent Resolution No. 14—Commending parent-teacher associations and designating February 28, 1983, as Nevada PTA Day.

WHEREAS, Education of the youth of our nation is of primary importance and is a concern of the citizens of Nevada and the United States; and

WHEREAS, One national organization has rendered significant service to the cause of education and enhancement of family unity by bringing together the nation's primary and secondary educators and the parents of the children and young people whom they teach; and

WHEREAS, The Nevada Parent-Teacher Association is a strong link in the chain of state associations which have been a positive force in the development of the American educational system; and

WHEREAS, The Nevada Parent-Teacher Association has been a recognized organization since 1941 and has a current membership of 29,000 people; and

WHEREAS, The Nevada Parent-Teacher Association is a group which is becoming more aggressive in its support of legislation promoting the welfare and education of youth; and

WHEREAS, A date has been reserved honoring the Nevada Parent-Teacher Association for the past three sessions of the Nevada legislature; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the legislature declares February 28, 1983, to be PTA Day in Nevada; and be it further

Resolved, That the people of Nevada and their elected representatives in the legislature commend the national PTA, the Nevada PTA, and each parent-teacher association in the State of Nevada upon their outstanding contributions to education in the State of Nevada and the United States of America.

Assemblyman Getto moved the adoption of the resolution.

Remarks by Assemblyman Getto.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Dini, Thompson, Getto, Schofield, Nicholas, Chaney, Jeffrey and Bremner:

Assembly Bill No. 277—An Act relating to health and care facilities; providing certain rights to patients in those facilities; and providing other matters properly relating thereto.

Assemblyman Dini moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 158.

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

Motion carried.

Senate Bill No. 160.

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

Motion carried.

Senate Bill No. 165.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 118.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 118.

Amend section 1, page 1, line 7, by deleting "*himself and*".

Amend the bill as a whole by renumbering section 2 as section 3 and adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 624.3011 is hereby amended to read as follows:

624.3011 The following acts, among others, constitute cause for disciplinary action under NRS 624.300:

1. Willful and prejudicial departure from or disregard of plans or specifications in any material respect without the consent of the owner or his duly authorized representative and the person entitled to have the particular construction project or operation completed in accordance with [such] *the* plans and specifications.

2. Willful or deliberate disregard and violation of:

(a) The building laws of the state or of any political subdivision thereof.

(b) The safety laws or labor laws [or compensation insurance laws] of the state.

(c) Any provision of the Nevada health and safety laws or [Nevada laws and rules and regulations promulgated] *the regulations adopted* thereunder relating to the digging, boring or drilling of water wells.

(d) The laws of this state regarding industrial insurance.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 125.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 116.

Amend the bill as a whole by renumbering section 2 as section 3 and adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 631.345 is hereby amended to read as follows:

631.345 1. The fees which must be charged by the board for the performance of the duties imposed upon it by this chapter are as follows:

Examination fee for license to practice dentistry	$150
Examination fee for license to practice dental hygiene	75
Application fee for a specialist license	125
Application and examination fee for initial permit to administer general anesthesia	200
Annual renewal fee for permit to administer general anesthesia	50
Annual license renewal fee for a general dentist or specialist, not to exceed	200
Annual license renewal fee for a dental hygienist, not more than	75
Annual license renewal fee for an inactive dentist	100
Annual license renewal fee for a retired or disabled dentist	25
Annual license renewal fee for an inactive dental hygienist	25
Annual license renewal fee for a retired or disabled dental hygienist	25
Reinstatement fee for a suspended or revoked license to practice dentistry or dental hygiene	200

2. All fees are payable in advance and must not be refunded.".

Amend the title of the bill, second line, after "dentists;", by inserting "prescribing fees;".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 176.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 94.

Amend section 1, page 1, line 2, by deleting "$29,400" and inserting "$44,100".

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 177.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 92.

Amend section 1, page 1, line 3, after "districts" by inserting: "and the community colleges of the University of Nevada System".

Amend sec. 2, page 1, line 5, after "district" by inserting: "or community college".

Amend sec. 2, page 1, line 7, after "district" by inserting: "or community college".

Amend sec. 2, page 1, line 10, after "districts" by inserting: "and community colleges".

Amend the title of the bill, second line, after "districts" by inserting: "and community colleges".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 178.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 93.

Amend section 1, page 1, line 3, by deleting "University of Nevada" and inserting: "community colleges of the University of Nevada System".

Amend section 1, page 1, line 5, by deleting "1982-83" and inserting "1983-84".

Amend section 1, page 2, line 6, by deleting "1983-84" and inserting "1984-85".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrrent Committee on Ways and Means.

GENERAL FILE AND THIRD READING

Assembly Bill No. 39.

Bill read third time.

Remarks by Assemblyman Berkley.

Roll call on Assembly Bill No. 39:

YEAS—41.
NAYS—None.
Not voting—Bilyeu.

Assembly Bill No. 39 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 89.

Bill read third time.

Remarks by Assemblyman DuBois.

Roll call on Assembly Bill No. 89:

YEAS—42.
NAYS—None.

Assembly Bill No. 89 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 181.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 181:

YEAS—42.
NAYS—None.

Assembly Bill No. 181 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 182.

Bill read third time.

Remarks by Assemblymen Swain, Bremner and Stewart.

Assemblyman Bremner moved that Assembly Bill No. 182 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bremner.

Motion carried.

Assembly Bill No. 183.

Bill read third time.

Remarks by Assemblyman Ham.

Roll call on Assembly Bill No. 183:

YEAS—42.
NAYS—None.

Assembly Bill No. 183 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 185.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Assembly Bill No. 185:

YEAS—42.

NAYS—None.

Assembly Bill No. 185 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 186.

Bill read third time.

Remarks by Assemblyman Malone.

Roll call on Assembly Bill No. 186:

YEAS—42.

NAYS—None.

Assembly Bill No. 186 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 219.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 219:

YEAS—42.

NAYS—None.

Assembly Bill No. 219 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 16.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Senate Bill No. 16:

YEAS—42.

NAYS—None.

Senate Bill No. 16 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 39 of the 61st Session.

Resolution read third time.

Remarks by Assemblyman Kovacs.

Roll call on Senate Joint Resolution No. 39 of the 61st Session:

YEAS—42.

NAYS—None.

Senate Joint Resolution No. 39 of the 61st Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Banner:

Assembly Bill No. 278—An Act relating to industrial insurance; removing the limit on the duration of payments for permanent partial disabilities; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 6, 47, 62, 104, 262; Assembly Joint Resolution No. 30 of the 61st Session; Senate Joint Resolution No. 32 of the 61st Session; Assembly Concurrent Resolution No. 4; Senate Concurrent Resolution No. 7.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pam Rhodes and Mr. Dennis Ortwein.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Shirley Bunker and Carolyn Reingruber.

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sylvia Halgrimson and Catherine Theresa Pollock.

On request of Assemblyman Berkley, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Cindy Katz and M. J. Heaton.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Judy Johnson and Diane Buckman.

On request of Assemblyman Bilyeu, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sheila Moulton and Mr. John Hoover.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kathy Peltier.

On request of Assemblyman Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary Pennington.

On request of Assemblyman Brady, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Becky Logan and Debbie Miller.

On request of Assemblyman Bremner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Glennis M. Wisdom.

On request of Assemblyman Chaney, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Coni Longero and Rosalie Ogden.

On request of Assemblyman Coffin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Panciro.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Steve Dahlquist and Cuthbert Mack.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. C. David Morgan and Ms. Myrtle Tate.

On request of Assemblyman DuBois, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pamela Callaway, Sandra Windom and Marion Sharp.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Mark L. Prichard and Charles Robinson.

On request of Assemblyman Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Donna Hamman.

On request of Assemblyman Francis, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Paul.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Elmo Oxborrow, Don Mello, Ms. Saundra Mello, Nona McFarlane, Pat Heiss, Janet B. Young, Sharon Hollingshead and Bonnie Parnell.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Jan Greene, Jeanette Merryman, Sue Clark and Marty Battelle.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sandra Sullivan and Susan Varnum.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jessie Clary.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Marcia Coughran, Lynda Warren and LaVonne Frost.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lynn Keller and Mr. Don Lynch.

On request of Assemblyman Kovacs, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Vickie Lee.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jan Churchill.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Anna G. Birch and Mr. Robert Lee Birch.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Norma Yeokum.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Moore.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Barbara Cavanagh, Randa Steele, Diane Enewald, Arwan Annucian and Mr. Rudy Tabo.

On request of Assemblyman Perry, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Vicki Hammack and Mr. Todd Roberts.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Paul Dahl.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Vaun Dayle Wagner.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Bette L. Stewart and Iris E. Turner.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Michael Connors and Ms. Margaret Connors.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Armand Anooshian and Eugene Martin.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pat McNutt.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Fran Herb and Sandie Radford.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. William Moore.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Linda Nicosia.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ruth Costello.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. John Garrison and George Hritz.

On request of Assemblymen Bourne and Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames

Teri Gross, Edith Romwall, Rose Howsley, Pati Benson, Mr. Edie Romwall and Honor Society students from Vaughn Middle School, Reno, Nevada: Teri Ronnow, Christy Carlson, Holly Lockhart, Shannon Jackson, Lynn Hartman, Susie Velazquez, Pam Mitchell, Laurel Baker, Kris Kiehn, Joann Zoldak, Robert Lopez, Ray Portlock, Julie Tom, Allen Jones, Sheryl Thompson, Melissa Chavez, Kim Porras, Angie Woodley, Jolene Potts, Stacy Beck, Tina Elschlager, Monica Goegg, Michelle Boatman, Jana Spoor, Charline Taylor, Sabrina Sacks, Gia Maraccini, Lisa Hardenbrook, Nicole Langs, Donna Hammond, Laura Molini, Diane Fisher, Erin Field, Adrienne Swain, Anissa Waldren, Todd Manning, Mike Milleken, Kim Guadagno, Ann Schraeder, David Peel, Carrie Irwin and Ronnette Gonsalves.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, March 1, 1983, at 11 a.m., and that it do so in honor of the Nevada PTA.

Motion carried.

Assembly adjourned at 11:34 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-FOURTH DAY

CARSON CITY (Tuesday), March 1, 1983

Assembly called to order at 11:06 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, Father Robert G. Pumphrey.

Almighty Lord, please give the legislators of this State of Nevada the grace and strength to wrestle with the problems we face. Help them with their efforts. As always, we ask in the name of the Father, Son and Holy Spirit.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 34, 74; Assembly Joint Resolution No. 12, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 58, 59, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 180, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 28, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 18, 66, 67, 68, 69, 70, 71, 107, 108.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 13.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 107.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 95, 98.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 95.

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

Motion carried.

Senate Bill No. 98.

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

Motion carried.

Senate Bill No. 107.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 90.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 121.

Amend section 1, page 1, by deleting line 6 and inserting: "*on his own property, unless the additional permit is for:*

(a) A vacation or recreational home; or

(b) Another single-family residence for himself because he has had to change his primary place of residence.".

Amend section 1, page 1, line 9, by deleting "*that he has not*" and inserting "*whether he has*".

Amend the title of the bill, second line, after "year;" by inserting "providing exceptions;".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 115.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 123.

Amend section 1, page 1, by deleting line 6 and inserting:

"*(a) Been found to be a responsible contractor by the public body; and*".

Amend section 1, page 1, by deleting line 12 and inserting: "*tor and the bid does not exceed the amount budgeted for the work.*".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 117.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 119.

Amend section 1, page 1, line 13, by deleting ". [and effect," and inserting ", [and effect,]".

Amend section 1, page 1, line 14, by deleting the bracket.

Amend section 1, page 2, line 12, by deleting "Any" and inserting: "[Any] *Unless released earlier pursuant to subsection 5, any*".

Amend section 1, page 2, line 17, by deleting the bracket.

Amend section 1, page 2, line 18, by deleting "2" and inserting "[2] *5*".

Amend section 1, page 2, line 22, by deleting "such" and inserting "[such] *the*".

Amend section 1, page 2, by deleting line 24 and inserting: "[such] *this* requirement. [Notwithstanding the provisions of subsection 4, if] *If* a".

Amend section 1, page 2, line 26, by deleting "2" and inserting "[2] *5*".

Amend section 1, page 2, line 27, by deleting the bracket.

Amend the bill as a whole by deleting sections 2 and 3.

Amend the title of the bill, first line, by deleting "deleting" and inserting "changing".

Amend the title of the bill by deleting second line and inserting: "bond or deposit before renewal of a contractor's license; and".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 2 of the 61st Session.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 50.

Bill read second time and ordered to third reading.

Senate Bill No. 133.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 33 of the 61st Session.

Resolution read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Joint Resolution No. 10, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 40.

Bill read third time.

The following amendment was proposed by Assemblyman Sader:

Amendment No. 130.

Amend sec. 2, page 3, by deleting lines 4 and 5 and inserting:

"In all other cases prior consent of the judge of the juvenile division is required before reference to the juvenile court".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 141, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 1, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 13.

MAE LOFTHOUSE
Assistant Secretary of the Senate

Assemblyman Dini moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:22 a.m.

ASSEMBLY IN SESSION

At 11:31 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 13.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblymen Jeffrey and Thomas.

Resolution adopted unanimously.

By Assemblymen Bogaert, Zimmer, Kovacs, Banner, Ham, May, Fay, Stone, Nevin, Malone, Bergevin, Collins, Vergiels, Humke, Berkley, Craddock, Kerns, Bilyeu, Francis, Joerg, Nicholas, Brady, Jeffrey, Stewart, Getto, Price, Sader, Beyer, Thomas, Chaney, Coffin, Swain, Bourne, Redelsperger, DuBois, Sedway, Thompson, Dini, Schofield, Perry, Bremner and Marvel:

Assembly Concurrent Resolution No. 15—Commending Hugh O'Brian Youth Foundation.

WHEREAS, The Hugh O'Brian Youth Foundation is 25 years old this year; and

WHEREAS, The Hugh O'Brian Youth Foundation has benefited the lives of thousands of high school sophomores through their seminar program; and

WHEREAS, Hugh O'Brian has devoted the last 25 years of his life to the betterment of the youth of our nation and the world through the Youth Seminar program; and

WHEREAS, The Hugh O'Brian Youth Foundation will touch the lives of over 7,000 sophomores this year; and

WHEREAS, Every state in the union and several foreign countries will come together to again motivate tomorrow's leaders today; and

WHEREAS, The Hugh O'Brian Youth Foundation is now recognized worldwide as one of the most important programs to ensure the future of this nation and the world; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the Nevada state legislature commends Hugh O'Brian for his 25 years of devotion to the youth of this nation and the world by helping them toward a better understanding of all mankind; and be it further

Resolved, That a copy of this resolution be prepared and transmitted by the legislative counsel to Mr. Hugh O'Brian.

Assemblyman Bogaert moved the adoption of the resolution.

Remarks by Assemblyman Bogaert.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 279—An Act relating to county hospitals; removing certain limitations on their sale or lease; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 280—An Act relating to state employees; authorizing collective bargaining for employees in the classified service of the state; designating the State of Nevada Employees Association as the representative of those employees; providing for a factfinder for any disputes; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 152; Senate Bill No. 142; Assembly Joint Resolution No. 25 of the 61st Session; Assembly Concurrent Resolutions Nos. 1, 2, 7.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Eli Welt.

On request of Mr. Speaker and Assemblyman Coffin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Robert O'Connell.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Diane Bickmore and Mr. John Bickmore.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Boyd Steele and Mike Thompson.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Jack Hardy, Geno Menchetti, Jerry Gotzmer, Charles Smith, David Strongin, Dalton Conners, Bill Waldren, Larry Harris, Darrell Williams, Clarence Forbes, Lad Laird, Tim Miller, Dave Bilger, Pete Clyde, Norm Herring and Bob Hanley.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Paul Bottari, E. Wayne Hage, Matt Benson, Tim Gallagher and Tom Gallagher.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Shirley Rowan.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Vikki Alastuey, Connie Olmstead, Nellana DeGraff and students from Fremont Elementary School, Carson City, Nevada: Shawn Allen, Corey Blair, Ryan Bunch, Chris Fried, Bert Keutzer, Jeff Krupp, Ty McLain, Jeffrey Montrose, Joseph Murillo, Donny Parkerson, John Reil, Robyn Alastuey, Pam Brigham, Lani Camacho, Monica Clark, Jennifer Crawford, Jennifer D'Anna, Tammy Edwards, Christy Hamlin, Jennifer Higgins, Christina Lindsey, Loraine Lippincott, Violet Munoz, Jennifer Olmstead, Melissa Smith, Lisa Taylor, Tricia Trenoweth and Tawnie Vonasek.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Keith Colgan, Isaac Colgan, Ms. Dianna Colgan and Renee Colgan.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, March 2, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:47 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-FIFTH DAY

CARSON CITY (Wednesday), March 2, 1983

Assembly called to order at 11:08 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Robert H. Schwartz.

It's been raining, Lord. More than usual, they say. Sometimes life also comes raining down on us with all its countless demands for our time and energies. The phone keeps ringing, the letters keep coming, people need to see us, the meetings pile up on top of each other—how it all pours down on us, Lord.

But we seek not for escape. This is the life of our choosing. What we seek is strength, Lord. Empower us to do what is before us. We seek rejuvenation. Refresh us so that we never lose the vision of what we seek to accomplish. Be our daily strength and protection, our fortress and our guide.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 228, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 21, 24, 113, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 1, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 1, 41.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 14.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 19, 61, 83, 114, 116, 118.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Marvel, Bergevin, Bilyeu, Redelsperger, Getto, Thomas and Joerg:

Assembly Bill No. 281—An Act relating to public works; raising the threshold for the definition of "public works"; and providing other matters properly relating thereto.

Assemblyman Marvel moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 282—An Act relating to the state personnel system; creating an employee-management committee; providing its powers and duties; revising provisions governing the adjustment of grievances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 283—An Act relating to the public service commission of Nevada; enlarging its membership; abolishing fixed terms for commissioners; terminating the terms of the current commissioners; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Perry, Schofield, Collins, Malone, Bourne, Sader, Nevin, Swain, Joerg, Price, Marvel, Banner, Fay, May, Bogaert, Stewart, Bilyeu, Redelsperger, Nicholas, DuBois, Getto, Chaney, Bremner, Coffin, Berkley, Thompson, Jeffrey, Kovacs, Dini, Humke, Vergiels, Francis and Sedway:

Assembly Bill No. 284—An Act relating to savings and loan associations; reducing the number of meetings required for their directors; and providing other matters properly relating thereto.

Assemblyman Perry moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Malone, Fay, Brady, Stone, Bourne, Nevin, Kovacs, Banner, Ham, Price, Perry, Dini, Vergiels, Thompson, Bremner, Collins, Sader, Redelsperger, Schofield, Humke, Kerns, Bogaert, Beyer, Zimmer and Coffin:

Assembly Bill No. 285—An Act relating to the public service commission of Nevada; abolishing fixed terms for commissioners; terminating the terms of the current commissioners; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 286—An Act relating to industrial insurance; permitting chiropractors to certify applications for an increase or rearrangement of compensation or to reopen a claim because of changed circumstances; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Stone, Nevin, Stewart, Berkley, Thomas, Marvel, Bourne, Fay, Malone, Perry, Redelsperger, Humke, Kerns, Collins, Thompson, May, Ham, Banner, Beyer, Bogaert, Jeffrey, Kovacs, Sedway, Joerg, Brady and Nicholas:

Assembly Bill No. 287—An Act relating to crimes and punishments; prohibiting necrophilia; providing a penalty; limiting the grant of probation or parole; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 288—An Act relating to savings and loan associations; making regulatory statutes on investments, profits, reserves and types of loans more flexible; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 289—An Act relating to insurance; prohibiting discrimination between chiropractors and other persons legally qualified to perform particular services, in fees for those services payable as benefits under policies or contracts of industrial, health and casualty insurance; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 19.

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

Motion carried.

Senate Bill No. 61.

Assemblyman Stewart moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 83.

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

Motion carried.

Senate Bill No. 114.

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

Motion carried.

Senate Bill No. 116.

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

Motion carried.

Senate Bill No. 118.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 58.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 147.

Amend section 1, page 1, line 8, by deleting the bracket.

Amend section 1, page 1, by deleting line 10, and inserting:

"(c) The name, age, street and house number, *the serial number of one piece of positive identification* and a general descrip-".

Amend section 1, page 1, line 11, by deleting all of the brackets.

Amend section 1, page 1, line 17, by deleting "*(c)*" and inserting "*(d)*".

Amend section 1, page 2, line 4, by deleting "*(d)*" and inserting "*(e)*".

Amend section 1, page 2, line 7, by deleting "*(e)*" and inserting "*(f)*".

Amend sec. 3, page 2, by deleting line 25 and inserting: "dence, driver's license number [, vehicle license number, license num-".

Amend the bill as a whole by adding new sections, designated as sections 4 through 7, following section 3, to read as follows:

"Sec. 4. NRS 647.110 is hereby amended to read as follows:

647.110 1. Every secondhand dealer doing business in any incorporated city or unincorporated town in this state shall maintain in his place of business a book or other permanent record in which [shall] *must* be legibly written in the English language, at the time of each purchase , [or sale,] a record thereof containing:

(a) The date of the transaction.

(b) The name of the person or employee conducting the transaction.

(c) The name, age, driver's license number, vehicle license number, street and house number [,] and a general description of the dress, complexion, color of hair [,] and facial appearance of the person with whom the transaction is had.

(d) [The name, street and house number of the owner of the property bought.

(e) The street and house number of the place from which the property bought was last removed.

(f) The license number of the vehicle delivering each purchase.

(g)] A description of the property bought. In the case of watches, the description [shall] *must* contain the name of the maker and the number of both the works and the case. In the case of jewelry, all letters and marks inscribed [thereon shall] *on the jewelry must* be included in the description. When the article bought is furniture, or the contents of any house or room actually inspected on the premises, a general record of the transaction [shall be sufficient.

(h)] *is sufficient.*

(e) The price paid.

[(i) The names, streets and house numbers of all persons witnessing the transaction.]

2. The record and all goods received [shall] *must* at all times during the ordinary hours of business be open to the inspection of the district attorney or of any peace officer.

Sec. 5. NRS 647.120 is hereby amended to read as follows:

647.120 1. Every secondhand dealer doing business in any unincorporated town shall, before 12 m. of each day, [furnish] *mail* in duplicate to the sheriff of the county a full, true and correct transcript of the record of all transactions had on the preceding day.

2. Every secondhand dealer doing business in any incorporated city shall, before 12 m. of each day, [furnish] *mail* in duplicate to the chief of police [thereof,] *of the city,* a full, true and correct transcript of the record of all transactions had on the preceding day.

3. Every secondhand dealer doing business in an unincorporated town or in an incorporated city having good cause to believe that any property in his possession has been previously lost or stolen shall forthwith report [such] *that* fact to the sheriff or chief of police, respectively, together with the name of the owner if known, and the date when [,] and the name of the person from whom [, the same was received by him.] *he received the property.*

Sec. 6. NRS 647.130 is hereby amended to read as follows:

647.130 No property *which has a specific mark for identification and is* bought by any secondhand dealer [shall] *may* be removed from his place of business within 4 days after the [receipt thereof shall have been reported] *record of the receipt of the property is mailed* to the sheriff or the chief of police . [as provided in NRS 647.120.]

Sec. 7. NRS 647.140 is hereby amended to read as follows:

647.140 Every secondhand dealer and every clerk, agent or employee of a secondhand dealer is guilty of a misdemeanor [, who shall:

1. Fail] *if he:*

1. Fails to make an entry of any material matter in his book or record kept as provided for in NRS 647.110.

2. [Make] *Makes* any false entry in his book or record . [kept as provided for in NRS 647.110.

3. Falsify, obliterate, destroy or remove] *3. Obliterates, destroys or removes* from his place of business the book or record . [kept as provided for in NRS 647.110.

4. Refuse] *4. Refuses* to allow the district attorney or any peace officer to inspect the book or record [kept as provided for in NRS

647.110,] or any goods in his possession, during the ordinary hours of business.

5. [Report] *Reports* any material matter falsely to the sheriff or to the chief of police.

6. [Fail] *Fails* to report forthwith to the sheriff or to the chief of police the possession of any property which he may have good cause to believe has been lost or stolen, together with the name of the owner, if known, and the date when [,] and the name of the person from whom [, the same was received by him.

7. Remove, or allow] *he received the property.*

7. Removes or allows to be removed [,] from his place of business any *unmarked* property received, within 4 days after the [receipt thereof shall have been reported] *record of the receipt of the property is mailed* to the sheriff or to the chief of police.

8. [Receive] *Receives* any property from any person under the age of 18 years, any common drunkard, any habitual user of controlled substances as defined in chapter 453 of NRS, any habitual criminal, any person in an intoxicated condition, any known thief or receiver of stolen property, or any known associate of [such] *a* thief or receiver of stolen property, whether [such person be] *the person is* acting in his own behalf or as the agent of another.''.

Amend the title of the bill, second line, by deleting ''and junk dealers;'' and inserting: '', junk dealers and secondhand dealers;''.

Assemblyman Berkley moved the adoption of the amendment.

Remarks by Assemblymen Berkley and Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 59.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 120.

Amend sec. 2, page 1, by deleting line 7 and inserting: ''*purposes of resale, a motor vehicle normally used for personal, family or household purposes.*''.

Amend sec. 2, page 1, by deleting lines 14 and 15 and inserting: ''*motorcycles, motor homes or off-road vehicles.*''.

Amend sec. 3, page 1, line 17, after ''*nonconformity*'', by inserting ''*in writing*''.

Amend sec. 3, page 1, by deleting line 18 and inserting ''*manufacturer:*''.

Amend sec. 4, page 2, line 16, by deleting ''*new*'' and inserting ''*comparable*''.

Amend sec. 4, page 2, line 19, by deleting ''*new*'' and inserting ''*comparable*''.

Amend sec. 4, page 2, line 22, by deleting ''*collateral charges,*'' and inserting: ''*sales taxes, license fees, registration fees and other similar governmental charges,*''.

Amend sec. 4, page 2, line 40, by deleting ''*earlier.*'' and inserting:

"*earlier, except that if the necessary repairs cannot be made for reasons which are beyond the control of the manufacturer or its agent or authorized dealer the number of days required to give rise to the presumption must be appropriately extended.*".

Amend sec. 6, page 3, line 4, after "*established*", by inserting "*or designated*".

Amend sec. 6, page 3, line 5, after "*which*", by inserting "*substantially*".

Assemblyman Berkley moved the adoption of the amendment.

Remarks by Assemblyman Berkley.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 141.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 133.

Amend section 1, page 1, by deleting line 7 and inserting: "*below the minimum retail price, if any, established by the commission.*".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 180.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 91.

Amend the bill as a whole by deleting section 3 and renumbering sections 4 through 14 as sections 3 through 13.

Amend sec. 6, page 3, by deleting line 37 and inserting:

"3. Service of process [shall] *may* be made by [leaving] *mailing by registered or certified mail* a copy of".

Amend sec. 6, page 4, by deleting lines 1 through 3 and inserting: "service [and shall be the equivalent of personal service] upon the executor or administrator [within this state, provided that notice] *if proof* of such service [and a copy of the process are forthwith sent by] *is filed*".

Amend sec. 7, page 4, by deleting lines 32 and 33 and inserting: "the complaint, [may be served upon] *must be mailed directly to the last address given by the executor or administrator, and proof of the mailing must be filed with* the county".

Amend sec. 7, page 4, by deleting line 35 and inserting: "estate is pending [, in the manner prescribed in NRS 143.190, and".

Amend sec. 14, page 8, by deleting lines 16 through 19 and inserting: "any judgment, [upon the written request of] the judgment creditor or his attorney [, the clerk of the court, or the judge of a court which has no clerk, in which any such judgment is rendered within this state shall] *may* forward to the division immediately".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 12.
Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 34.
Bill read second time and ordered to third reading.

Senate Bill No. 74.
Bill read second time and ordered to third reading.

Senate Joint Resolution No. 10.
Resolution read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Assembly Bill No. 182 be taken from the Chief Clerk's desk and placed on the General File.
Remarks by Assemblyman Bremner.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 118.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Assembly Bill No. 118:

YEAS—42.
NAYS—None.

Assembly Bill No. 118 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 125.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Assembly Bill No. 125:

YEAS—42.
NAYS—None.

Assembly Bill No. 125 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 2 of the 61st Session.
Resolution read third time.
Remarks by Assemblymen Kovacs, Nicholas, Bourne, Brady, Francis, Dini, Coffin, Schofield, Stone, May, Jeffrey and Craddock.

Roll call on Assembly Joint Resolution No. 2 of the 61st Session:

YEAS—26.

NAYS—Bergevin, Beyer, Bilyeu, Brady, DuBois, Francis, Ham, Humke, Joerg, Kerns, Malone, Nicholas, Redelsperger, Stone, Thomas, Zimmer—16.

Assembly Joint Resolution No. 2 of the 61st Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 50.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 50:

YEAS—42.

NAYS—None.

Senate Bill No. 50 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 133.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Bill No. 133:

YEAS—42.

NAYS—None.

Senate Bill No. 133 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 33 of the 61st Session.

Resolution read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Joint Resolution No. 33 of the 61st Session:

YEAS—42.

NAYS—None.

Senate Joint Resolution No. 33 of the 61st Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 182.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Assembly Bill No. 182:

YEAS—42.

NAYS—None.

Assembly Bill No. 182 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Bill No. 33, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Thomas, Nevin, Jeffrey, Stone, Bilyeu, Bogaert, Bourne, Swain, Berkley, Stewart, Fay, Marvel, Banner, Malone, Redelsperger, Perry, Beyer, Coffin, Zimmer, Sedway and DuBois:

Assembly Bill No. 290—An Act relating to school districts; requiring any interest earned from the investment of certain proceeds of taxes to be credited to the appropriate county's school district fund; correcting an internal reference in NRS; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Redelsperger, Getto, Humke, Swain, Joerg, Stone, Zimmer, Thompson, Price, Fay, Dini and Coffin:

Assembly Bill No. 291—An Act relating to highways; authorizing the director of the department of transportation to designate scenic routes; specifying the requirements for a highway to be designated a scenic route; requiring the department of transportation to put up and maintain signs indicating scenic routes; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 18, 66, 67, 68, 69, 70, 71, 107, 108; Senate Bill No. 16; Senate Joint Resolution No. 39 of the 61st Session; Assembly Concurrent Resolution No. 13.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker and Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. JoAnn Nevers, Brenda Taylor, Marie Kizer, JoAnn Martinez, Theresa Jackson, Lucille Morris, Tina Wyatt and Mr. Layton Palmer.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Milan Tresnit.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gene LeBlanc.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Milan R. Mlakar and Larry Larimer.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. David Hannuksela and Bryan McKay.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sue Bond.

Assemblyman Brady moved that the Assembly adjourn until Thursday, March 3, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:17 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-SIXTH DAY

CARSON CITY (Thursday), March 3, 1983

Assembly called to order at 11:04 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Robert H. Schwartz.

Many laws are getting passed, Lord. Some laws are needed simply to help and guide us to cooperate with each other. Some laws are needed to protect us from each other. Some laws correct problems of the past. Some laws hope to direct us fruitfully into the future.

But all laws, O Lord, are baseless if they are not founded in respect to your rule. No law will be useful unless it is conceived in compassion, drafted in wisdom and enacted without malice. O thou, Supreme Lawgiver over us all, let us be your willing instruments.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 207, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Bill No. 39, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 241, 242, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 164, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill No. 58, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LONIE CHANEY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 2, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 77.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 15.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 29, 64, 93.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 15.

JANICE L. THOMAS
Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 29.

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

Motion carried.

Senate Bill No. 64.

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

Motion carried.

Senate Bill No. 93.

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

Motion carried.

By Assemblymen Bourne, Schofield, Nevin, Stone, Kovacs, Joerg, Francis, Jeffrey, Bergevin, Zimmer, Craddock, Getto, Price, Malone, Bogaert, Thomas, Thompson, Redelsperger, Humke and Beyer:

Assembly Bill No. 292—An Act relating to taxation; exempting the value of a qualified system for conserving energy for the purposes of property tax; removing the former allowance; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 228.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 131.

Amend section 1, page 2, line 11, by deleting: "*of the district attorney,*" and inserting ",".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 21.
Bill read second time and ordered to third reading.

Senate Bill No. 24.
Bill read second time and ordered to third reading.

Senate Bill No. 33.
Bill read second time.
The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:
Amendment No. 139.
Amend sec. 2, page 2, by deleting lines 1 and 2 and inserting: "*statutes, policies and regulations which affect the management of public lands are likely to have extensive effects within the state and must*".
Amend sec. 2, page 2, by deleting lines 6 through 9 and inserting: "*demonstrated that* the State of Nevada and its citizens are subjected to [federal] regulations which sometimes are unreasonable, arbitrary, beyond the intent of the Congress or the scope of the authority of the agency adopting them and that as a result [certain federal] *these* reg-".
Amend sec. 6, page 3, line 35, by deleting "state".
Assemblyman Bilyeu moved the adoption of the amendment.
Remarks by Assemblyman Bilyeu.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 113.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 148.
Amend the bill as a whole by inserting a new section, designated section 5, following section 4, to read as follows:
"Sec. 5. This act shall become effective upon passage and approval.".
Assemblyman Stewart moved the adoption of the amendment.
Remarks by Assemblyman Stewart.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Assembly in recess at 11:17 a.m.

ASSEMBLY IN SESSION

At 11:23 a.m.
Mr. Speaker presiding.
Quorum present.

MESSAGES FROM THE GOVERNOR

STATE OF NEVADA
EXECUTIVE DEPARTMENT

A PROCLAMATION BY THE GOVERNOR

WHEREAS, the Nevada Federation of Business and Professional Women are meeting in the State Capitol for their first "BPW Day at the Legislature, Thursday, March 3, 1983", and the Legislative Committee was the first committee established as the "voice of working women" was founded in 1919, as a nonprofit, nonpartisan, nonsectarian, self-governing and member-supported organization with a foundation for research and expansion of educational opportunities for working women, established by the federation in 1956 and,

WHEREAS, efforts of business and professional women are directed with special interest toward legislation that affects the progress of women, especially women who work and believe that knowledge of the legislative process and involvement in that process are vital to community involvement and leadership, and

WHEREAS, the Nevada BPW was formed 54 years ago and has 19 clubs and nearly 500 members and the national organization is the oldest and largest organization of working women who has placed themselves in the forefront of major economic, social and political issues affecting women in the workforce for more than 65 years at the national level and 54 years at the state level in Nevada. 170,000 women and men claim membership in the organizations 3,700 clubs; there are 53 state federations, affiliated with a quarter of a million working women in the 50 countries in the international federation of business and professional women,

Now, Therefore, I, RICHARD H. BRYAN, Governor of the State of Nevada salute the contributions of BPW women in Nevada, do hereby proclaim March 3, 1983 as

NEVADA BPW DAY AT THE LEGISLATURE

and by this proclamation pay further tribute to the Nevada BPW leadership in 1982-83: Paula Holden, President, Las Vegas; Catherine Henry, First Vice President, Las Vegas; Marilyn Doty, President Elect, Boulder City; Yolan Goodrich, Second Vice President, Winnemucca; Dorothy Miller, Treasurer, Reno; Evelyn Clark, Secretary, Elko; Ruth Howard, Nevada Business Woman Editor, Las Vegas; Carley Sullivan, State BPW Legislative Ch., Elko; Helen Judstrup, Political Action Committee Ch., Las Vegas; Muriel Batesel, BPW Day at the Legislature Coordinator, Carson City.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City, this 2nd day of March, in the year of Our Lord one thousand nine hundred eighty-three.

RICHARD BRYAN
Governor

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

Assembly in recess at 11:28 a.m.

ASSEMBLY IN SESSION

At 11:34 a.m.
Mr. Speaker presiding.
Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 293—An Act relating to motor vehicle insurance; continuing the procedure for verification of certain insurance by sampling a percentage of owners of registered vehicles and continuing the requirement that insurers provide evidence of insurance to their insureds; providing an exception to the procedure for reinstatement of registration; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 294—An Act relating to health insurance; permitting certain additional optional provisions in a policy; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 295—An Act relating to health maintenance plans; exempting certain prepaid plans from the Health Maintenance Organization Act; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 296—An Act relating to health insurance; requiring inclusion of a provision for the coordination of benefits; requiring group policies to provide at least equal benefits for outpatients as compared to inpatients; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Elections:

Assembly Bill No. 297—An Act relating to elections; making all county offices nonpartisan except for the offices of county commissioners; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Elections:

Assembly Bill No. 298—An Act relating to counties; requiring commissioners to be elected from districts; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 40.
Bill read third time.
Remarks by Assemblymen Stone and Getto.
Roll call on Assembly Bill No. 40:
YEAS—42.
NAYS—None.

Assembly Bill No. 40 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 90.
Bill read third time.
Remarks by Assemblymen Bourne, Schofield and Jeffrey.
Roll call on Assembly Bill No. 90:
YEAS—42.
NAYS—None.

Assembly Bill No. 90 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 115.
Bill read third time.
Remarks by Assemblymen Jeffrey, Schofield, Thomas, Price, Fay and Bourne.
Roll call on Assembly Bill No. 115:
YEAS—42.
NAYS—None.

Assembly Bill No. 115 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 117.
Bill read third time.
Remarks by Assemblymen Redelsperger and Jeffrey.
Roll call on Assembly Bill No. 117:
YEAS—42.
NAYS—None.

Assembly Bill No. 117 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 12.
Resolution read third time.
Remarks by Assemblyman Berkley.

Roll call on Assembly Joint Resolution No. 12:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 12 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 34.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Senate Bill No. 34:

YEAS—42.

NAYS—None.

Senate Bill No. 34 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 74.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 74:

YEAS—42.

NAYS—None.

Senate Bill No. 74 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 10.

Resolution read third time.

Remarks by Assemblyman Marvel.

Roll call on Senate Joint Resolution No. 10:

YEAS—41.

NAYS—Zimmer.

Senate Joint Resolution No. 10 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Berkley, Stewart, Francis, Kovacs, Stone, Ham, Sedway, DuBois and Coffin:

Assembly Bill No. 299—An Act relating to justices of the peace; requiring justices to be attorneys at law in large counties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Schofield, Zimmer, Bourne, Jeffrey, Banner, Nevin, Kovacs, Fay, Bogaert, Sader, Coffin, Perry, Collins, Bremner, Dini,

Thompson, Price, DuBois, Sedway, Craddock, Chaney, Thomas and Berkley:

Assembly Bill No. 300—An Act relating to abuse and neglect of older persons; extending the prohibition on neglect to persons who voluntarily assume responsibility for the care of an older person; requiring members of advisory boards on domestic violence to report incidents of abuse, neglect or exploitation; requiring an investigation of reported abuse, neglect or exploitation within 3 working days after the report; expanding the duties of the aging services division of the department of human resources; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Thomas:

Assembly Concurrent Resolution No. 16—Commending members of Kiwanis clubs and designating March 3, 1983, as Kiwanis Day.

WHEREAS, Sixty-eight years ago a club was organized and chose "Kiwanis" for its name which is a Chippewa Indian word meaning "We make ourselves known"; and

WHEREAS, Members of the Kiwanis club work toward six principles which include the primacy of spiritual values, living by the Golden Rule, adhering to high personal standards, engendering strong citizenship, building better communities through service and assisting in the formation of sound public opinion; and

WHEREAS, Since 1917, the California, Nevada and Hawaii district, CAL-NEV-HA, has become the largest district in Kiwanis International; and

WHEREAS, Nevada is proud of its own state divisions 23, 28 and 45 for their long history of service to Nevada, service which is appropriately expressed in their current theme, "Pulling Together in Service"; and

WHEREAS, Kiwanians of Nevada will be visiting the Nevada state legislature on March 3, 1983; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That March 3, 1983, be declared Kiwanis Day; and be it further

Resolved, That copies of this resolution be transmitted by the legislative counsel to governor Harry M. Rowe, Jr., of the California, Nevada and Hawaii district and to the lieutenant governors of the respective divisions, Gilbert H. Britt of Division 23, Peter McPhee, Jr., of Division 28 and Don E. Johnson of Division 45.

Assemblyman Thomas moved the adoption of the resolution.

Remarks by Assemblyman Thomas.

Assemblyman Thomas requested that his remarks be entered in the Journal:

I have been thinking all week of just exactly what I would say about the Kiwanians, and it is pretty tough because they do so much for so many. In Carson City I am a Kiwanian, and I am proud to be a Kiwanian. I have been one for six years. The work that we do here is largely with the older folks, the senior citizens. We built the Senior Citizens' Center and we maintain it. I think you could probably sum it up by saying that whenever a job has to be done in this community that no body else wants to mess with, the Kiwanians will get in there and do it. As I say, I am proud to be one, and I hope I live to be one for many, many years to come.

Thank you.

Resolution adopted unanimously.

Senate Concurrent Resolution No. 15.

Assemblyman May moved the adoption of the resolution.

Remarks by Assemblyman May.

Assemblyman Beyer requested that Assemblyman May's remarks be entered in the Journal:

Mr. Dini, Mr. Getto and I had the pleasure of working with Noel Clark. He was active in state government when we three arrived on the scene. As you have heard from the resolution, he led a varied and colorful life. He exemplified the tradition that is Nevada. Among those traits that he carried to his deathbed were honesty, integrity, dedication, and many others too numerous to mention. When Noel Clark left this place for, I am sure, a better one, he left behind him a rich heritage. He left behind him fond memories that most of us will carry of him unto our own deaths. The State of Nevada has suffered a great loss.

Resolution adopted unanimously.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 10.

The following Senate amendment was read:

Amendment No. 113.

Amend the resolution, page 1, by deleting lines 3 through 7 and inserting: "authorized to pay the travel allowances and per diem expense allowances of".

Amend the resolution, page 1, by deleting lines 11 through 13 and inserting: "legislature when the majority leader of the senate and the speaker of the assembly approve the travel.".

Amend the title of the resolution, second line, by deleting "the members and".

Amend the summary of the resolution, second line, by deleting "members and".

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Concurent Resolution No. 10.

Remarks by Assemblyman Sader.

Motion carried.

Resolution ordered enrolled.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 1:30 p.m.

Assembly in recess at 12:24 p.m.

ASSEMBLY IN SESSION

At 1:55 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Vergiels, Kovacs, Thompson, Thomas, Getto, Bogaert, Kerns, Ham, Zimmer, Jeffrey, Joerg, Bilyeu, Humke, Stone, Bergevin, Nicholas, Malone, Fay, Nevin, Sader, Bourne, Swain, Collins, Francis, Chaney, DuBois, Beyer, Dini, Sedway, Brady, Redelsperger,

Berkley, Craddock, Coffin, Marvel, May, Stewart, Perry, Bremner, Banner, Price and Schofield:

Assembly Resolution No. 9—Commending Mike O'Callaghan for his public service.

WHEREAS, There are many men who might be considered as having served their fellow man, but few who have exemplified that service with the integrity and strength of leadership evidenced by Mike O'Callaghan; and

WHEREAS, Mike O'Callaghan distinguished himself early in his career with commendable service in the military, having received the Silver Star, Bronze Star with "V" and the Purple Heart; and

WHEREAS, Mike continued to serve Nevadans as a teacher in Henderson for 5 years, as the first director of the department of health and welfare in 1963, and from 1964-1966 as the project management director for the Job Corps conservation center; and

WHEREAS, In 1970 Mike O'Callaghan was elected to Nevada's highest state office where he held the position of governor for the following 8 years; and

WHEREAS, Governor "Mike" made monumental advances in the areas of mental health, mental retardation, prison facilities and education as well as providing a common sense and "straight talk" approach while in office; and

WHEREAS, Mike O'Callaghan has continued to be a strong political force in Nevada offering inspiration to others while pursuing his current vocation as a journalist with the Las Vegas Sun; now, therefore, be it

Resolved by the Assembly of the State of Nevada, That Mike O'Callaghan be commended for his past accomplishments and remarkable popularity which is still evident today; and be it further

Resolved, That a copy of this resolution be transmitted by the legislative counsel to Mike O'Callaghan.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblymen Jeffrey, Getto, Thompson, Sedway, Chaney, Craddock, Nicholas, Malone, Price, Berkley, Dini, May and Kovacs.

Resolution adopted unanimously.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 1, 41; Assembly Concurrent Resolution No. 14; Senate Concurrent Resolution No. 13.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Don E. Johnson.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Barbra Griffin.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. John F. McGowan, Dennis C. Schmidt, Walter L. Erkkica, Francis F. Mathews, Larry Ogden, Leonard Pederson and Ms. Evelyn Pederson.

On request of Assemblyman Francis, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Chris Givnchigliani.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Lester Pearce,

Marvin Youngblood, Lyle Boyer, Alfred Facha, Dan Luke, Sr., Marc Picker, Ms. Betty Pearce, Kay Youngblood, Lynn R. Boyer and Jenny Luke.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Yolanda West, Clara McCowan, Helen Jydstrup, Maggie Tracey-Whittle, Hazel Ford, Priscilla Gibson, Paula Holden, Carley Sullivan, Susan Welch, Vernita Pohl, Dorothy Miller, Millie Herr, Petite Proutsos, Marguerite Klingerman, Dolores Childers, Mary Daniels, Hope Sharpe, Dolores Stennett, Margaret McLaughlin, Eleanor Kent, Dorothy Pollock, Wilina Childs, Faye Valentine, Inga Casperson, Rose Myers, Marilyn Doty, Jeannine Gulla, Dorothy Donaldson, Jean O'Connor, Sylvia Waller, Muriel Batesel, Marilyn Stanton, Betty Edwards and Mr. Artie Valentine.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Fred Sharkey.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tebeau Piquet.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carole A. Telford and Clara McCowan.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Frank Lattin and Austin Sellers.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gary Grey.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Howard Hammill.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, March 4, 1983, at 10:30 a.m., and that it do so in memory of Noel Clark and in honor of former Governor Mike O'Callaghan.

Motion carried.

Assembly adjourned at 2:31 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FORTY-SEVENTH DAY

CARSON CITY (Friday), March 4, 1983

Assembly called to order at 10:35 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Robert H. Schwartz.

Dear Lord, how welcomed to us comes any report of good news. There is a break in the weather and we respond to the good news of sunshine. There are reports of a reviving economy and that is good news. There is the knowledge that today is Friday, the end of a workweek and that is good news.

But Lord, you have given us the potential to be more than just receivers of good news. You share with us the power to be makers of good news. We can be the answer to other people's prayer. Lord, so many people are counting on us. May we not disappoint them or you. Let us be good news in the making, good news in action.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Thompson, Redelsperger, Sader, Jeffrey, Stewart, May, Banner, Price, Kovacs, Bremner, Schofield, Sedway, Coffin, Perry, Collins, Bergevin, Malone, Fay, Vergiels, Bourne, Swain, Zimmer, Brady, Thomas, Ham, Stone, Getto, Berkley, Nevin, Joerg, Kerns, Nicholas, Bilyeu, Bogaert, Francis, Craddock, Marvel, Humke and Chaney:

Assembly Bill No. 301—An Act relating to state parks; designating a certain state park as the "Joseph E. Dini, Jr., State Park"; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Bourne:

Assembly Bill No. 302—An Act relating to health and care facilities; repealing the provisions of the Nevada Health Facilities Assistance Act; and providing other matters properly relating thereto.

Assemblyman Bourne moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblymen Banner, Thompson and Bremner:

Assembly Bill No. 303—An Act relating to insurance; authorizing the commissioner of insurance to investigate fraud relating to insurance;

providing for assessments of insurers to support the commissioner's investigations; providing for an exchange of information on fraud among the commissioner and investigative and law enforcement agencies; designating the commissioner's investigators as peace officers; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Berkley, Stewart, Vergiels, May, Sader and Sedway:

Assembly Bill No. 304—An Act relating to motor vehicles; requiring an applicant for registration to furnish proof of having the required insurance or other security; requiring an insurer to notify the department of motor vehicles if a policy providing such security is canceled or the holder fails to renew it; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 305—An Act relating to wildlife; expanding the power of game wardens; eliminating the requirement that offenders be convicted before a reward is paid for information leading to the arrest; authorizing the establishment of a separate price for expired duck stamps; expanding the requirements for courses in safety for hunters; prohibiting the casting of light from near a motor vehicle upon an animal while carrying a weapon; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 306—An Act relating to constables; removing the authority of the board of county commissioners in the largest counties to abolish the office of constable; and providing other matters properly relating thereto.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 94, 97, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 42, 165, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 17—Directing the legislative commission to study metropolitan government in urban counties.

Assemblyman Dini moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 164 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 207.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 138.

Amend section 1, page 1, line 3, by deleting "$6,000,000" and inserting "$4,700,000".

Amend the bill as a whole by renumbering sections 2 through 6 as sections 3 through 7 and inserting a new section designated section 2, following section 1, to read as follows:

"Sec. 2. All remaining proceeds of the bonds issued pursuant to chapter 660, Statutes of Nevada 1975, as amended, are hereby allocated to provide additional money to accomplish the purposes of this act. Notwithstanding the provisions of NRS 349.078, if any of the bonds authorized pursuant to chapter 660 have not been issued or sold, the state board of examiners shall forthwith issue and sell them, and their proceeds are likewise so allocated.".

Amend sec. 5, page 2, line 29, by deleting "Any" and inserting: "So much of any".

Amend sec. 5, page 2, line 31, after "1980" by inserting: "as may under federal law be used for that purpose".

Amend the title of the bill, seventh line, after "limit;" by inserting: "allocating the remaining proceeds of other authorized bonds;".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 241.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 242.
Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 39.
Bill read second time and ordered to third reading.

Senate Bill No. 58.
Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 58.
Bill read third time.
Remarks by Assemblymen Berkley, Bourne and Jeffrey.
Roll call on Assembly Bill No. 58:

YEAS—40.
NAYS—Bourne, Malone—2.

Assembly Bill No. 58 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 59.
Bill read third time.
Remarks by Assemblyman Berkley.
Roll call on Assembly Bill No. 59:

YEAS—42.
NAYS—None.

Assembly Bill No. 59 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 141.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 141:

YEAS—42.
NAYS—None.

Assembly Bill No. 141 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 180.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Assembly Bill No. 180:

YEAS—42.
NAYS—None.

Assembly Bill No. 180 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 21.
Bill read third time.
Remarks by Assemblyman Ham.
Roll call on Senate Bill No. 21:
YEAS—42.
NAYS—None.

Senate Bill No. 21 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 24.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Senate Bill No. 24:
YEAS—42.
NAYS—None.

Senate Bill No. 24 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Swain, Nevin, Stewart, Berkley, Beyer, Zimmer, Ham, Coffin, Banner, Nicholas, Jeffrey, Francis, Sader, Humke, Thompson, Redelsperger, Bergevin, Fay, Kovacs, Price, Vergiels, Dini, Collins, Sedway, Malone, Bourne, DuBois and Perry:

Assembly Bill No. 307—An Act relating to motor vehicles; requiring the restraint of children; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Kerns, Humke, Nicholas, Bogaert, Stone, Nevin, Swain, Bourne, Sader, Thomas and Beyer:

Assembly Resolution No. 10—Commending girls' basketball team of Reno High School.

WHEREAS, The girls' basketball team of Reno High School and their coach Ken Fujii have become a source of pride for the State of Nevada with their phenomenal record of winning 76 consecutive games; and

WHEREAS, This year they are the league and zone champions for northern Nevada with a record of 28 wins and no losses; and

WHEREAS, Their coach, Ken Fujii, has led the girls' basketball team to an outstanding record at Reno High with only 16 losses out of 157 games; and

WHEREAS, This remarkable team has not lost a game since November 1979, and currently has the longest winning streak in the nation; now, therefore, be it

Resolved by the Assembly of the State of Nevada, That the members of the assembly of the 62nd session of the Nevada Legislature commend the members of the team, Kim Bradshaw, Cathy Brown, Lisa Byrd, Yeztte Dendary, Ronda Dreher, Stephanie Eaton, Jennifer Harrington, Ricque Luttges, Jennifer Pace, Heidi Raber and Stacey Upson; its managers, Robbin Campbell, Bernadette Dellera and Susan Hood; its coach Ken Fujii; and its assistant coaches Bud Garfinkle and Betty Pierson; and be it further

Resolved, That a copy of this resolution be prepared and transmitted forthwith by the legislative counsel to all members of girls' basketball team of Reno High School.

Assemblyman Kerns moved the adoption of the resolution.

Remarks by Assemblymen Kerns, Bilyeu, Stone, Nicholas and Nevin.

Assemblyman Kerns requested that the following remarks be entered in the Journal:

ASSEMBLYMAN KERNS:

I am proud to sponsor this piece of legislation, especially so because it is the first bill I have introduced, and it will probably be my best one. I have been a Reno High Booster for many years and served on the Board of Directors. It makes me extremely proud to honor this group. Ken and his girls have won two consecutive state championships, and I am sure they will bring home a third next week. As you may know, they leave Sunday to go down to Las Vegas for the state championships. They don't know for sure, but as far as they can find out, and according to USA World News, they have the third longest win streak ever in the nation for a girls' basketball team. Their coach, Ken Fujii, has also been around Nevada and Reno all his life. He was a quarterback for the University of Nevada team from 1954 through 1958 and coached the boys' basketball team prior to coaching the girls' basketball team when he was promoted.

There is no way I can thank Ken for the honors they have brought to Reno High School, Reno and the rest of the State of Nevada. I might add, they did have a beautiful write-up in the national paper, USA Today. I want to thank you, Ken, very much for the job you have done with these girls, and I want to thank the girls also.

ASSEMBLYMAN NICHOLAS:

Of course, the longest winning streak in our history for a girls' or a boys' basketball team is very important. I would like to acknowledge the ladies and their coaches, and would like to speak specifically about one of their coaches for just one moment.

Buddy Garfinkle, who is the Assistant Coach of this particular team, is a former member of our body, having served in the 1967 session. Interestingly enough, he represented the district that I represent today. It should also be noted that this is really a home-grown coaching staff, because Bud Garfinkle not only coaches there now, but also graduated from Reno High School as a superb athlete in his particular time, which wasn't very long ago. He also graduated from UNR, as did Ken Fujii. So we really have some home-grown athletes who have achieved national status. My congratulations.

Resolution adopted unanimously.

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

Assembly in recess at 11:16 a.m.

ASSEMBLY IN SESSION

At 11:22 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Redelsperger, Dini, Bilyeu, Marvel and Getto:

Assembly Bill No. 308—An Act relating to cities; restoring the power to incorporate to owners of property; requiring a public hearing and notice of the hearing before petitioning for incorporation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 309—An Act relating to the property tax; providing a partial exemption for Nevada residents effective upon amendment of the constitution; revising the methods of valuing property; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 310—An Act relating to the property tax; providing a partial exemption for Nevada residents; revising the methods of valuing property; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 311—An Act relating to law libraries; staggering and increasing the terms of the trustees; making various other changes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 312—An Act relating to law libraries; increasing the support from certain fees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 313—An Act relating to criminal procedure; requiring upon request a pretrial hearing after notice of an intention to claim an alibi is given; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 314—An Act relating to evidence; defining "prima facie evidence"; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Schofield:

Assembly Bill No. 315—An Act relating to hazardous waste; revising provisions relating to the disclosure of information obtained by the department of conservation and natural resources in regulating the management of hazardous waste; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 316—An Act relating to taxation; imposing an additional tax on special fuels; providing for its distribution to counties which have created regional transportation commissions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 317—An Act relating to mass transportation; exempting subsidized common motor carriers from the requirement of obtaining a certificate of public convenience and necessity; expanding authority of regional transportation commissions; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 77; Senate Bills Nos. 50, 133; Senate Joint Resolution No. 33 of the 61st Session; Assembly Concurrent Resolutions Nos. 10, 15.

REMARKS FROM THE FLOOR

Assemblyman Bourne requested that the following remarks be entered in the Journal:

ASSEMBLYMAN DINI:

I would like to make an introduction. I have some very fine young gentlemen from Virginia City. District 38 is known as the District of Champions, so we do have the B Division, State Championship basketball team with us here today. Mr. Gladding, the coach, is also a former player for the Muckers in Virginia City. Greg Hess, for the second year in a row, is the most valuable player in the B Division. Welcome to the

Legislature. They bring in a record of 30 straight wins, 21 this season. So they are truly the champions of Virginia City.

ASSEMBLYMAN BEYER:

Behind every good man there is a good woman. If it hadn't been for my intern, Pam, these boys would not have made it. She was one of the cheerleaders of Virginia City High School. They cheered these fellows on, so I thought they should be recognized for being part of the team.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Roy E. Owens, Carl Van Houten, Fred Gladding, Steven P. Knowles, John McArthur and the Virginia City, Nevada basketball team: Tim Fitzpatrick, John Herman, Jim Herman, Kevin Hollaway, Jim Gibbons, Dave Childers, Greg Hess, Brian K. Mullen, William Myer, Todd Hess and Tyler Clarke.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Donna Lomen, Jesse Hall and sixth grade students from Diedrichsen Elementary School, Sparks, Nevada.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, March 7, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:27 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTIETH DAY

CARSON CITY (Monday), March 7, 1983

Assembly called to order at 11:02 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Terry W. Arnold.

Father in Heaven, you have instructed us in your word to honor and obey the king. We live in a society where there is no king, where the government rests upon the shoulders of the people. We pray that today these men and women whom we have chosen to be our representatives have wisdom and decisiveness as they decide upon the future of our state. We pray your blessings upon them and upon their families. Some of them are separated from their families, our Father, and we pray that you would give them all a peace of mind and assurance that you are in charge of their lives. We pray these things in the name of Jesus Christ, our Lord and Savior.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 110, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 190, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 226, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 4, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 119.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 16.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 173, 174.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 7.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 7.

Assemblyman Stewart moved that the resolution be referred to the Committee on Taxation.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Malone:

Assembly Bill No. 318—An Act relating to business licenses; prohibiting issuance of a license unless the applicant has submitted evidence of an arrangement with the department of taxation for the collection of the tax on retail sales; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 173.

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

Motion carried.

Senate Bill No. 174.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 94.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 70.

Amend section 1, page 1, line 8, by deleting "[other]" and inserting "other *state or*".

Amend section 1, page 1, line 9, after "officer" by inserting: "*which has comparable jurisdiction to adjudicate complaints of discriminatory practices*".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 94 be rereferred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 97.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 73.

Amend section 1, page 1, line 4, by deleting "*the same*".

Amend section 1, page 1, line 5, by deleting "*as*" and inserting: "*reasonably similar to those received by*".

Amend sec. 4, page 2, line 37, after "*damages*" by inserting: "*for an act such as intentional discrimination*".

Amend sec. 4, page 2, line 38, by deleting "*$500;*" and inserting "*$1,000;*".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 97 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and engrossed.

Senate Bill No. 42.

Bill read second time and ordered to third reading.

Senate Bill No. 165.

Bill read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 150, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 228.

Bill read third time.

Remarks by Assemblyman Bilyeu.

Roll call on Assembly Bill No. 228:

YEAS—42.

NAYS—None.

Assembly Bill No. 228 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 241.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 241:

YEAS—39.
NAYS—None.
Not voting—May, Price, Redelsperger—3.

Assembly Bill No. 241 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Joerg moved that Assembly Bill No. 242 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Joerg.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 33.

Bill read third time.

Remarks by Assemblyman Bilyeu.

Roll call on Senate Bill No. 33:

YEAS—41.
NAYS—Banner.

Senate Bill No. 33 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 39.

Bill read third time.

Remarks by Assemblymen Thompson, Collins, Kovacs, DuBois, Getto and Bergevin.

Assemblyman Bergevin moved that Senate Bill No. 39 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Bergevin and Bilyeu.

Assemblyman Bergevin withdrew his motion.

Remarks by Assemblymen Craddock and Dini.

Assemblyman Thompson moved that Senate Bill No. 39 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bourne.

Motion carried.

Senate Bill No. 58.

Bill read third time.

Remarks by Assemblymen Bilyeu, Sedway, Stone, Nicholas and Chaney.

Roll call on Senate Bill No. 58:

YEAS—42.
NAYS—None.

Senate Bill No. 58 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 113.
Bill read third time.
Remarks by Assemblyman Fay.
Roll call on Senate Bill No. 113:

YEAS—42.
NAYS—None.

Senate Bill No. 113 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 93, 95, 96, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Government Affairs.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill No. 57, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LONIE CHANEY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 7, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 208.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 208.

Assemblyman Dini moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Dini.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 208.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Senate Bill No. 208:

YEAS—42.
NAYS—None.

Senate Bill No. 208 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Swain moved that Assembly Bill No. 78 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Swain.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 78.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 153.

Amend section 1, page 1, line 4, by deleting "*$5.*" and inserting "*$1.*".

Assemblyman Vergiels moved the adoption of the amendment.

Remarks by Assemblyman Swain.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 34, 74; Senate Joint Resolution No. 10; Senate Concurrent Resolution No. 15; Assembly Resolution No. 9.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Brady, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Michelle Brady.

Assemblyman Stewart moved that the Assembly adjourn until Tuesday, March 8, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12 noon.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-FIRST DAY

CARSON CITY (Tuesday), March 8, 1983

Assembly called to order at 11:06 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplains, The Reverend Terry W. Arnold and Assemblyman Dini.

Teach me that sixty minutes make an hour, sixteen ounces a pound, a hundred cents a dollar. Help me to live so that I can lie down at night with a clear conscience and unhaunted by the faces of those to whom I may have brought pain. Grant that I may earn my meal ticket on the square, and in earning it I may do unto others as I would have them do unto me. Deafen me to the jingle of tainted money. Blind me to the faults of other fellows and reveal to me my own. Guide me so that each night when I look across the table at my wife, who has been a blessing to me, I will have nothing to conceal. Keep me young enough to laugh with little children and sympathetic so as to be considerate of old age. And, comes the day of darkening shades, make the ceremony short and the epitaph simple: "Here lies a man."

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 141, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 7, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Assembly Bill No. 45 and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 190.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 119.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Joint Resolution No. 13—Requesting federal authorities to relax standards on fluoride levels in water.

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

Motion carried.

By Assemblyman Banner:

Assembly Joint Resolution No. 14—Proposing to amend section 14 of article 5 of the constitution of the State of Nevada, relating to remission of fines and forfeitures, commutations, pardons, suspension of sentences and probation, by prohibiting the pardoning of a person convicted of a felony against a person 65 years of age or older.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 14 of article 5 of the constitution of the State of Nevada be amended to read as follows:

Sec. 14. 1. The governor, justices of the supreme court, and attorney general, or a major part of them, of whom the governor shall be one, may, upon such conditions and with such limitations and restrictions as they may think proper, remit fines and forfeitures, commute punishments, except as provided in subsection 2, and grant pardons, *except as provided in subsection 3,* after convictions, in all cases, except treason and impeachments, subject to such regulations as may be provided by law relative to the manner of applying for pardons.

2. Except as may be provided by law, a sentence of death or a sentence of life imprisonment without possibility of parole may not be commuted to a sentence which would allow parole.

3. *A person convicted of a felony against a person 65 years of age or older may not be granted a pardon.*

4. The legislature is authorized to pass laws conferring upon the district courts authority to suspend the execution of sentences, fix the conditions for, and to grant probation, and within the minimum and maximum periods authorized by law, fix the sentence to be served by the person convicted of crime in said courts.

Assemblyman Banner moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Marvel, Getto, Bilyeu, Nicholas, Kerns, Bergevin, Thomas, Bogaert, DuBois, Redelsperger, Stone, Brady, Sedway, Bremner, Beyer and Bourne:

Assembly Bill No. 319—An Act relating to legislators; reducing the salaries of legislators for session and interim service to $80 per day; and providing other matters properly relating thereto.

Assemblyman Marvel moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblymen Kerns, Bilyeu, Humke, Fay, Joerg, Bergevin, Malone, Jeffrey, Bourne, Stone, Ham, Bogaert, Stewart, Getto, Zimmer, Swain, Francis, Vergiels, Craddock, Thompson, Schofield, Brady, Dini, Nicholas, Marvel, Nevin, DuBois, Collins, Coffin, Sedway, Thomas, May, Redelsperger, Chaney, Banner and Perry:

Assembly Bill No. 320—An Act relating to fire; expanding the types of buildings which are exempted from the requirement of automatic sprinklers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 321—An Act relating to state records; vesting the state librarian with rights concerning records submitted by state agencies and accepted for the archives; providing for limited access to certain records donated by constitutional officers; clarifying provisions on destruction of certain records held at the archives; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 322—An Act relating to state finance; creating and abolishing various funds and accounts; revising the accounting practices for the funds; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Banner and Thompson:

Assembly Bill No. 323—An Act relating to crimes against elderly persons; requiring imprisonment for an assault or battery; prohibiting the release on parole of a person convicted of a crime against an elderly person; authorizing the trial of juveniles as adults for felonies committed against elderly persons; prohibiting plea bargaining of felonies committed against elderly persons; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 119.

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

Motion carried.

Senate Bill No. 190.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 93.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 162.

Amend section 1, page 1, line 9, by deleting "*commission may*" and inserting "*director may so*".

Amend section 1, page 1, line 15, by deleting "*and*".

Amend section 1, page 2, line 2, by deleting "*hearing,*" and inserting: "*hearing;*

(d) That the subpena identified specifically any documents or the subject of any testimony required;

(e) That the documents or testimony were relevant to the allegations being investigated or heard; and

(f) That no reasonable cause exists for the failure or refusal to comply with the subpena,".

Amend section 1, page 2, line 3, by deleting "*asking*" and inserting "*requesting*".

Amend section 1, page 2, line 7, by deleting "*from the date*" and inserting "*after the service*".

Amend section 1, page 2, line 11, by deleting "*commission,*" and inserting: "*commission and there is no reasonable cause for the refusal or failure to comply,*".

Amend section 1, page 2, by inserting between lines 15 and 16:

"*4. The court may consider, in determining whether reasonable cause existed for the witness' refusal or failure to comply with the subpena, such factors as:*

(a) The burden or cost of compliance, financial or otherwise, to the witness;

(b) The time allowed for compliance;

(c) The extent of the information requested in relation to the nature of the underlying charge; and

(d) The extent of the statistical information necessary to investigate the charge adequately.".

Amend sec. 2, page 2, line 18, by deleting "executive" and inserting "[executive]".

Amend sec. 2, page 2, by deleting lines 23 through 27.

Amend sec. 2, page 2, line 28, by deleting "*(c)*" and inserting "[2.] *(b)*".

Amend sec. 2, page 2, by deleting line 30 and inserting:

"[3. Issue] *(c) If an informal meeting to attempt a settlement of the dispute is not successful, issue* subpenas for the attendance *and testimony* of witnesses or for the".

Amend sec. 2, page 2, by inserting between lines 32 and 33:

"*(d) Copy any record or document which is produced as a result of its subpena.*".

Amend sec. 2, page 2, line 34, before "any of its" by inserting "*the director,*".

Amend sec. 2, page 2, by deleting lines 37 and 38 and inserting:

"*2. Any person who is subpenaed by the commission may request the director to modify the terms of the subpena or grant additional time for compliance.*".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 93 be rereferred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 95.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 163.

Amend section 1, page 1, line 4, after "dispute." by inserting: "*To prepare for the informal meeting, the executive director may request from each party any information which is reasonably relevant to the complaint.*".

Amend section 1, page 2, line 1, by deleting "Restore" and inserting: "[Restore] *In cases involving an unlawful employment practice, restore*".

Amend section 1, page 2, by deleting line 3 and inserting: "not to exceed 2 years [,] *after the date of the most recent unlawful practice,*".

Amend section 1, page 2, line 4, by deleting "*per annum,*".

Amend section 1, page 2, by deleting line 5 and inserting: "efits and seniority [, in cases involving an unlawful employment practice.] , *with interest thereon at the rate of 12 percent per annum from the date of the commission's decision.*".

Amend section 1, page 2, line 19, after "same" by inserting "*facts and*".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 95 be rereferred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 96.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 164.

Amend section 1, page 1, by deleting line 2 and inserting: "613.420 [Any person injured by] *If the Nevada equal rights commission does not conclude that* an unfair employment practice".

Amend section 1, page 1, by deleting line 4 and inserting: "equal rights commission,] *has occurred, any person alleging such a practice* may apply to the district court for".

Amend section 1, page 1, by deleting lines 6 and 7 and inserting: "which he is entitled under [such] *those* sections.".

Amend the title of the bill, first line, by deleting "clarifying" and inserting "restricting".

Assemblyman Bergevin moved the adoption of the amendment.
Remarks by Assemblyman Bergevin.
Amendment adopted.
Assemblyman Bergevin moved that Assembly Bill No. 96 be re-referred to the Committee on Government Affairs.
Motion carried.
Bill ordered reprinted and engrossed.

Assembly Bill No. 150.
Bill read second time.
The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:
Amendment No. 160.
Amend section 1, page 1, line 10, by deleting "*in Washoe County*".
Assemblyman Thompson moved the adoption of the amendment.
Remarks by Assemblyman Thompson.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 190.
Bill read second time, ordered engrossed and to third reading.

Assemblyman Kovacs moved that the Assembly recess subject to the call of the Chair.
Motion carried.

Assembly in recess at 11:20 a.m.

ASSEMBLY IN SESSION

At 11:25 a.m.
Mr. Speaker presiding.
Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 226.
Bill read second time.
The following amendment was proposed by the Committee on Labor and Management:
Amendment No. 166.
Amend sec. 3, page 4, line 13, after "and" by inserting "*NRS*".
Amend sec. 6, page 5, by deleting lines 10 through 16.
Amend sec. 6, page 5, line 17, by deleting "*5.*" and inserting "*3.*".
Amend sec. 6, page 5, line 20, by deleting "*6.*" and inserting "*4.*".
Assemblyman Banner moved the adoption of the amendment.
Remarks by Assemblyman Banner.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 57.
Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 165.

Amend section 1, page 1, by deleting lines 4 through 6 and inserting: "southern Nevada children's home who : [is insane, idiotic, or so mentally or physically deformed as to be incapable of receiving the elements of an education, or who has]

(a) Is developmentally disabled with a moderate or severe mental or physical handicap;".

Amend section 1, page 1, line 12, by deleting "*must:*" and inserting "*shall:*".

Amend section 1, page 1, by deleting line 14 and inserting:

"*(b) Ensure that a basic medical evaluation or a physician's statement indicates*".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblyman Humke.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Senate Bill No. 110 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stewart.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 42.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 42:

YEAS—42.

NAYS—None.

Senate Bill No. 42 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 165.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Senate Bill No. 165:

YEAS—42.

NAYS—None.

Senate Bill No. 165 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Chaney gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 42 was this day passed.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Stewart, Stone, Jeffrey, Redelsperger, Humke, DuBois, Bilyeu, Berkley, Brady, Nicholas, Malone, Ham, Fay, Nevin, Schofield, Thomas, Beyer, Price, Coffin, Thompson and Zimmer:

Assembly Bill No. 324—An Act relating to parole; excluding statutes which specify a minimum sentence which must be served before parole from application of credits for good time; increasing the minimum portion of a sentence which must be served before becoming eligible for parole; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Schofield, Coffin, Sedway, Kovacs, Jeffrey, Collins and Price:

Assembly Bill No. 325—An Act relating to the disposal of radioactive and other hazardous waste; repealing laws providing for issuance of licenses authorizing such disposal or operation of sites for such disposal; revoking the existing licenses and prohibiting further issuance; providing for expenditure of money for terminating the existing agreements; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 119; Senate Bills Nos. 21, 24; Assembly Concurrent Resolution No. 16; Assembly Resolution No. 10.

REMARKS FROM THE FLOOR

Assemblyman Schofield requested that the following remarks be entered in the Journal:

ASSEMBLYMAN SADER:

Mr. Speaker, I would like to take a couple of moments to make some comments regarding where I think we are as a body in the Assembly on budget and taxation matters, particularly in light of a Republican caucus, which took place yesterday, and the publicity arising out of that. In my position as Majority Whip, I have had the opportunity to work with Governor Bryan's staff very closely on the formulation and the measures going through the Assembly. As Vice Chairman of the Ways and Means Committee, I have had the opportunity to review, along with the other members of the committee, almost every budget for state government in this session. This is what we have been doing for the last few weeks.

Yesterday there was a minority caucus after the general session. In this caucus there were apparently 19 votes represented. There was a poll in the minority caucus, for those

of you who were Democrats and weren't there, indicating that there was no appetite for the Governor's rebate program, and in addition, that there was no consensus at all that there was a necessity for a property tax increase in order to shore up the state finances on the alleged deficits we have. Now, I think it's fairly well agreed that we are going to have about a $75 million shortfall that we are going to have to make up somehow. We either make that up by cutting the budget, or we make that up by increasing revenues. I heard yesterday in a Republican caucus that there is a possibility of trimming maybe $20 or $30 million, or perhaps even more, all of the $75 million, out of the budget in order to balance the budget for the next biennium. I read then in the newspaper today what I think is a fairly accurate report on this press conference indicating Governor Richard Bryan is "not dealing in reality, in his call for a tax increase coupled with the home owners rebate," Assembly Republicans said Monday. The Republicans also called on the Assembly Democratic leadership to meet with them to work out substantial budget reductions. And that quote, Mr. Speaker, came out of a letter from Mr. Brady, the Minority Leader, to Mr. Jeffrey, the Majority Leader, requesting just such a leadership group to substantially cut the budget.

Mr. Speaker, we have a Ways and Means Committee in this Assembly, and the purpose of the Ways and Means Committee is to seriously study all budgets and to take the time, which we have been doing ever since this session began, to seriously consider budget reductions. We have closed some budgets and made some reductions in the Governor's requests, and I am sure we will do some more. For the minority leader to suggest that we should now have some sort of leadership committee to consider these very same things, a committee composed primarily of people who have not heard any of the testimony in any of these hearings, seems to me a bit out of line. In addition, Mr. Speaker, the Ways and Means Committee is a bi-partisan group. There are six Republicans on that committee. Having heard most of the budgets already, I have not heard from any member of the Republican Party on that committee any comments that he can cut $20 or $30 million out of the budgets we have heard so far. So if this is something that the Minority Leader thinks we can do, I certainly haven't heard it from experience by those minority members, including himself, on the Ways and Means Committee.

Mr. Speaker, if we don't do it with budget cuts, we have to balance the budget with new revenue sources. I also read in the paper this morning under the guideline "Bryan Out of Touch—GOP", a quote from the current Republican Party Chairman in this state, saying "Republican assemblymen have presented for study such fine tuning concepts as a tax on services and property tax increases." Now I am not sure if that means that we have now a 19 vote Republican proposal for an income tax on services, but I would sure like to know if that's the case. Mr. Speaker, we are dealing with a situation in which it is helpful to cite just briefly what our budgets are in the last year and what they are projected to be next year.

The Republican Governor in the last session was appropriated $422 million for a budget. Now, the revenue income sources only approached $353 million, and so we saw substantial phase cuts, onetime measures to shore up this deficit. We are left with the same substantial short falls in the next biennium to have to deal with, and to deal with them responsibly, we have to close the gap somehow. The Governor's recommendation, when you add in, is $384 million. However, when you add in the property tax increases that formerly were financed to the school distributive fund through sales tax, as a shift here, in other words, what you have in the Governor's recommendation is substantially a no-growth budget from the appropriations two years ago. Now, again, the Ways and Means Committee is a bi-partisan committee, and its job is to listen to all of these budgets and to cut where we can, and I believe there will be substantial cuts made. But to suggest that the cuts can approach $20 or $30 million in a budget which already has no increases for state employees' salaries, no increases for teachers' salaries, no increases for university employees and classified salaries, which are the major budget items in a state budget, is unrealistic.

Mr. Speaker, I welcome to the discussion on budgets, a Republican caucus and a block vote on certain issues if I can hear from the Republican caucus what actual proposals you have to cut the budget. Where is the response going to be? Not a general let's cut the budget sort of statement, but specifics. What are the specifics going to be? Where are we going to cut? Mr. Speaker, I think we need a response to this issue since there has obviously been a lot of media attention, and substantial public reliance on

statements that we're going to be able to cut the budget as proposed by the Republican Party in this Assembly.

And in that regard, I would like to yield the floor to Mr. Jeffrey for a little bit more scrutiny on that subject.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, in light of the Republican caucus and the press conference that followed yesterday, I would like to have a dialogue and have some questions answered by Mr. Brady, the Minority Leader. I believe that the loyal opposition was posturing for the press and the public. Whether it is coming from the executive director of the Republican Party or the Republican members of the Assembly, it is likely to get in the way of the legislative process. I am sure the Republican Party would like to take over the Assembly next term, and I certainly understand their position. But let's not give the public false hope or false impressions for the sake of politics. I call on all members of the Assembly to set partisan politics aside and work to solve the state's financial problems. There is plenty of time for politics and posturing after the session and before the next election.

Regarding the letter that I received from Mr. Brady this morning, I agree with Mr. Sader that we have a bi-partisan working on revenue and expenditure problems on a daily basis. The leadership will certainly support the budget cuts made by Ways and Means, but I believe that it is an insult to the committees and the committee process to suggest that leadership, that is not involved in the committee work on a daily basis, will be able to cut $75 or even $20 to $30 million from the budget in a few days.

There is an editorial in the Reno newspaper this morning that speaks about the tax shift and the inequities that were not solved by the Supreme Court ruling. I am sorry to see that there are people that are still married to that plan. I think the past two years have shown that the plan hasn't worked. The editorial from a normally conservative newspaper points out that the state and local governments and school districts are in trouble because of the shift that took place during the last session, and that we need a more stable tax base. I think we need to be working on those problems. Nobody wants to increase taxes. I wish that we could all say that we're not going to increase taxes and mean what we say. I guess in the minority position it's easy to take that position when you don't have the votes to defeat a tax increase, but it makes for good political fodder in the next election.

But since the Republican caucus suggests that budgets can be cut further to avoid tax increases, I would like to know where the priorities are for cuts. If we look at the brochure that's put out by the Legislative Counsel Bureau, it has quite a bit of information that we give constituents when they come to the Legislature, and we see from that brochure that 52.6 percent of our General Fund Budget goes to education. Is that where the cuts are going to come from? Human Resources, 23.3 percent. Public safety, which includes the prison system, is 7.8 percent. 16.3 percent takes in all other government functions. I submit to you that we have a very balanced budget. Cuts are going to be difficult, but if we are talking about these kind of massive cuts, I would like to ask the minority leader where he expects to make these cuts.

ASSEMBLYMAN BRADY:

We have talked since we were elected about the tax raise. I don't think there is a lot of us that talked about raising taxes before the election. We accept the challenge to try and reduce the budget, because I believe this is the important thing. I think all of us, especially on Ways and Means, realize that there are still areas where the budgets can be trimmed. To what degree, I don't know at this time, but I believe they can be trimmed substantially. Mr. Bremner is an outstanding chairman of Ways and Means; one of the finer chairmen that I have served under. The Committee on Ways and Means is as fine a committee as I have served on. As a matter of fact, it's the first time that I've been able to sit on that committee and see me being more the moderate, with some people that are more conservative than I am on these budgets, and certainly more intelligent than I on them. Many of these people have come forth and given me numbers of what can be cut, both Democrat and Republican. I am sure that's a responsible committee, and I'm sure they are going to come up with substantial cuts.

The challenge of coming up with cuts now is that I've heard debate back and forth that first we need to see how much tax revenues we are going to have before we can close some of the budgets. Now, this is just backwards from the way I think it should be done. I think the first thing we do is make government responsible; that we trim

every place we can. Every household in this state has had to do it in this recessionary time. Every business has had to do it in this recessionary time. They have had to trim and cut and do without things they thought were necessary. I believe that it is time that this state government get a handle on it. We put caps on local government, both city and county. We never put caps on us. I've got charts here that show that state government has grown faster than the per capita income in this state. In other words, we are outspending, and I think we are all aware, from different publications, that government is growing faster than the income of the people. The burden on the people of this state is greater today than it was five years ago. I say it's time we stop that. It's easy to come here and raise taxes. That's all we've talked about is raising taxes. And that's the easy way.

I challenge everyone on this floor today, both Democrat and Republican, to look at those budgets with scrutiny like we've never looked at them before, and see if there is a way that we can balance the budget without balancing it on the backs of the taxpayer. And that's the bottom line to it. As far as austere budgets are concerned, I believe the Governor has done a good job in many, many areas. But if you take the new tax of $.70, which he has proposed, if that is in fact, we are talking about a 16 percent increase in our budgets. It is done through innovative accounting, in a way which maybe is good and was not intended to be misleading in any way. But if you take the new $.70, include it in the existing budget, we have a 16 percent increase. That is not austere, that is not frugal in all areas, as shown by the increase. We were elected by the people in our areas. I believe it is time we represent those people. We have many lobbyists, many people up here who are testifying before Ways and Means—government people—all the time asking for things. They are here because they need things, good things. They want to help the people in their various constituencies. I say that we don't forget, and somebody has to speak up for the taxpayers of our districts and do all that we can. We have to speak up for them and see that taxes are raised as minimally as possible. Hopefully, it won't be a property tax. There are some advantages to that, and I realize that. The disadvantage to a property tax is that we have nearly 11 percent unemployment right now, and if we raise the taxes to that degree, if the Governor had his way and raised them $.70, or $.50 in my area, you are talking about a 25 percent increase in property taxes to the people of my district. If statistics in my area are like other areas, one person in every 10 or 11 households is unemployed. We have to think of those people, that we are going to be raising their taxes 25 percent through a property tax increase. Can they afford it?

I would just call on the Assembly, as a united body, and especially the leadership of this Assembly, to get serious about holding the taxes down as much as possible. We'll deal with that when we come to it. But I think the first priority should be to trim the budgets, to set a figure that Mr. Bremner, as chairman, believes is realistic, that the other people in the Ways and Means and Democratic leadership feel is realistic. We will deal with an increase in taxes at that time, and we can support that measure. As Republicans, we support budget cuts first, and then we will look at the tax situation second; not taxes first and then see how much we can spend.

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

Assembly in recess at 12:02 p.m.

ASSEMBLY IN SESSION

At 12:03 p.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

ASSEMBLYMAN VERGIELS:

Basically, what I was concerned with as Speaker, was the fact that my understanding in terms of Ways and Means (I know that you have pumped Mr. Bremner really well, and that's a good move) was that we have been quite pleased with Mr. Beyer, Mr. DuBois, Mr. Marvel, Mr. Redelsperger and the other Democratic members of that committee. We thought that you were looking at budgets to cut budgets. We felt that you called the press conference after the fact, after they had been doing a fine job. We also

felt that Mr. Bergevin, one of our real experts on taxes, Mr. Francis, Mr. Getto, Mr. Joerg and Mrs. Zimmer were doing a fine job on the Taxation Committee. I think basically that we have to get out of the stance where we fight these things in the press and not in the committee room. I think that's basically what the message is today. We can go through this every day for the remainder of the session, posturing for the press. But I think, basically we have to have faith in our committee chairmen, Mr. May and Mr. Bremner. We need to have faith in those committees that they will do that and not have one committee encroaching on another so they can be about their business and do their job. As long as we have this kind of divisiveness and we call a caucus every day—we will not call a Democratic caucus—we are not going to do that. The reason we are not going to do it is because we feel the committees are doing a fine job so far. We have no criticism of what the committees are doing, either the subcommittees or the committees as a whole. We feel they are doing a fine job and we don't see any need to change their direction or their course. They have been moving along at a good pace. We are proud of the work that you have done, and we are not going to call a Democratic caucus and try to steal your thunder. I think you can speak for yourselves. There is press coverage in every committee. If you want any kind of press, you can do it without interfering with Mr. Sader's press conference.

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

Assembly in recess at 12:06 p.m.

ASSEMBLY IN SESSION

At 12:07 p.m.
Mr. Speaker presiding.
Quorum present.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, I would like to make a couple more remarks. I want to expand on this just a little bit, because I am concerned that when I go home and talk to people over the weekend, they are becoming more and more convinced due to some of the remarks that are being made here that tax increases are not necessary, that there is enough fat in the budget to be cut so that taxes don't have to be raised.

I think that when we talk about the budget cuts, we need to be realistic and talk about the percentages that need to be cut and where the money may come from. I honestly don't expect the answers today but I want to take this opportunity to let the press and the public know where we stand. I'm not a member of the Ways and Means Committee or the Taxation Committee. I can only say at this time, thank God I'm not. I would rather not be.

Let's talk about the education budget. We've got 52.6 percent at the present time in education; $143 million in elementary and secondary education, and the enrollment is increasing. The library part of that budget is $3.4 million and the use is increasing for the libraries. The University of Nevada Higher Education Budget is $72.5 million and the enrollment is increasing in the universities dramatically. These areas are tough to cut. You better keep in mind that already the governor announced that there were to be no increases in his budget for teachers' salaries.

I guess the Ways and Means Committee may have to ratify the Governor's position that there is no money for pay increases for teachers. I think that's too bad. Human Resources has a budget of $97.1 million. The A.D.C. alone is almost $6 million. There was an editorial in the conservative Reno paper yesterday saying that those A.D.C. payments are too low. When we capped them last time, they were reduced $20 a month since the last session, and they are going to be reduced again. That's $6 million of what we are spending in Human Resources. We are spending $2.8 million for the Health Division and Crippled Children's Services; $5.6 million for Mental Health and Retardation, Southern Nevada Child Adolescent Services $1.8 million, Foster Grandparents, I guess might be pretty easy. It is a small budget of $74,000. Public Safety Department of Prisons is $25.5 million and they project a 21 percent increase in inmates in the next two years. That budget is going to be tough to do anything with, in my opinion. I'll admit it's only my opinion since I'm not a member of the committee.

Let's go to the regulatory budgets. Gaming Control is $10 million. I don't think any of us want to see that budget cut to the point that they have a problem doing their job. Other budgets are much smaller—the Fire Marshall, $304,000; Financial Institutions Division, $532,000; Labor Commission, $444,000. The Labor Commission is in a position now that they have a difficult time doing the job. They had their clerical people cut in phase cuts last time. They are short of investigators and clerical help. The largest budget in the Conservation and Natural Resources Budget is for the Division of State Parks, at $1.9 million. I think it's time that the public knows that we have to take a realistic, practical, pragmatic, tough approach to taxes and expenditures. We are willing to do that. But the public also has to realize that there are no easy answers to these problems, and posturing for the press is not going to solve the problem. It's time we come together as one bi-partisan group, both in committees and here on the floor, and take care of the State's financial problems.

ASSEMBLYMAN BRADY:

I would like to address the group one more time. First, our so-called press conference yesterday, which we thank Mr. Sader for again. Let me just address why that Republican caucus was called. It has to do with the headlines that came out in a substantial Las Vegas paper. What we were addressing there was the Governor speaking to us—the Legislature. Now it's Democrat and Republican. What he was saying was that the reality of the property tax hikes to offset a $75 million shortfall. His quote "The Legislature is not, in my view, (now he says the Legislature, he's talking about all of us) prepared to come to grips with that reality." Now, he's saying that the reality is that we are going to have a $.70 property tax increase. It goes on later to say, "Bryan said he plans to continue fighting for his own tax package, which calls for raising property taxes $.75."

Mr. Speaker, I received a number of telephone calls Sunday on that issue because people thought the issue was dead. The Governor of the State says the issue is not dead. That the reality that we must face in the Legislature is a $.70 property tax increase. I say, that is not reality. I told the people who called me, many on Sunday, that I would get back to them, and maybe there would have been a change in the posture of the Assembly. That was the purpose of calling the caucus, to see if there had been a change in the position of those whom I work with more directly. The posture had not changed; it has not changed at this time. There are many of us who will not vote for a tax increase if that increase is a property tax increase in the amount of $.70. We might as well understand that here and now. I believe, also, that most people on this floor who sit on Taxation and Ways and Means, who have put the numbers together, realize that will not be the case. If this sounds like it's typical rhetoric grandstanding, I apologize for that. It isn't intended to be. I also think it's time that we let the people of this state know that we're going to do everything in our power to minimize any tax reduction that might be necessary. We realize, as in every year of this Legislature as long as I've been here and even before I was here, that fees go up and that various taxes go up. The Taxation Committee, under Mr. May's capable leadership, will minimize the impact to the people of this state in every way possible. I am sure they are going to do an outstanding job. He certainly has some good people on that committee.

Regarding property taxes, and that is the issue we are talking about, the Republicans will not support a property tax increase of $.70 on the taxpayers of this state. That is reality.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mayor Bill Briare.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Mickey Frasca.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Edward Daily.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Russ Dorhn.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. John Smith, Harry Bradley, Jeff Robinson and Mesdames Mildred Smith and Fran Bradley.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jean Loveless, Marilyn Tucker and Diane Irvin.

On request of Assemblyman Kovacs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Michael Daly.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Debbie Tapogna.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Barbara Ryan.

On request of Assemblymen Schofield, Coffin and Perry, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bill Langley, Sister Elizabeth Sullivan, Ms. Ann McAtlee, Lynda Vish, Janet Rivers, Pamela Pumo, Mr. Slavach and seventh and eighth grade students from St. Viator's School, Las Vegas, Nevada: Edward Ayoob, Kara Barnett, Adrianne Bentley, Erin Bilbray, Joseph Blasco, Armand Campo, Jenny Canavan, Austin Chruch, John Cobeaga, Catrina Cok, Paul Davis, Charistopher Edwards, Jimmy Gallo, Frank Garcia, Cristina Gargano, Artie Garrelli, Tina Hubrich, Toni Hutchings, Achilles Leontakianakos, Michael Miller, Glen Olson, Joseph Parente, Richard Pearse, Micha Raines, La Rae Saenz, Lisa Sanford, Michael Siu, Kristin Slaveck, Anne Stella, Kristina Wright, Liza Yballe, Lori Harriss, Dana White, Patrick McAtee, Ralph Agretto, Joseph Bruzzese, Michael Brynes, Nicole Carelli, Eileen Colbert, Patti Cooper, Mary DaQuino, Laurie Ditsworth, Frank Dominick, Pio Fidelibus, Francesca Fumo, Jon Jaramillo, John Keating, Bridgett Kelly, Mia Kim, Andrew Kriechbaumer, Andrew Kummer, Luis Lichtman, Jason Lowry, Mel Maalouf, Deanne McCauley, Thomas McAtee, Heather Morrison, Christine Pizzo, April Pollard, Jeffrey Pollard, Deana Riolo, Traci Rivers, Yvonne Rodda, Shane Ruegamer, Alfredo Salazar, Paul Setterstrom, Tiffany Tiberti, Nini Vish and Daniel Wenz.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jessie Wallace, Lou Schroder, Edyth Pane, Alice Johnston, Delma Zemenos, Dorothy Williams, Veran Tomsic, Fern Genteman, Naomi Norton, Ruth Giveus, Lori James, Diane Irwin, Jean Loveless, Joyce Miers, Norma Wohlt, Georgetta Seals, Dorothy Craig, Judy Breudle, Linda Holmes, Dottie Moss, Dorie Krater, Messrs. Harry Brady, John M. Smith and Bob Craig.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Jane Barnes,

Miss Denise Plowman, Mr. Frederickson, Ms. Bev Whitley, Debby Lavganino, Nancy Ward, Mesdames E. Hughes, Taylor, Cathy Salaopak, Karen Kincannon, S. E. Winchester, Deanna Fahrberger, Mr. Herbert Uyeda and third grade students from Dodson Elementary School, Reno, Nevada: Jason Aiazzi, C. W. Alexander, Jackie Bond, Jason Corbett, Peechi Edwards, Cory Gamble, Rodney Hardesty, Robert Hemerick, Jess Horning, David Hughes, Brandy Lard, Jennie Lavagniro, Gabriella Loving, Humaira Memon, Michella Palaroan, Geneva Petty, April Phungphiphadlana, Derrick Reaves, Deacon Shoenberger, Sandy Taylor, Kim Ward, Sage Webber, Tammy Whitley, Jennifer Thomas, Robert Evans, Aaron Bunn, Dusty Alander, Katrena Banks, Heather Betty, Teresa Bice, Nicole Bostrom, Angela Carter, Ron Crew, Jamee Devlin, Erin Dwyer, Jason Elder, Kristin Gevert, Kristin Ghiggeri, Joshua Goodrich, James Greene, David Hass, Bruce Hiscock, Bryan Hobbs, Angie Olson, Richard Paulsen, Sarah Perryman, Charles Pferschy, Julie Prettyman, Ali Skolnick, Wendy Squires, Christopher Tate, Jennifer Wehle, Marshall Whittey, Tara Noell, Pat Anderson, Brian Barnes, Adam Bradbury, Rosa Brendle, Chris Chinnici, Jason Clack, Adam DeShazo, Tony Enard, William Fahrberger, Jason Franklin, Nathan Getz, Carolyn Guedert, Cristin Harrison, Thomas Holbert, Elizabeth Humke, Steve Henderson, Kari Kincannon, Carrie MacDowell, Brian McLaughlin, Heather McHenry, Kristina Pliske, Holly Jo Speltz, Marcy Uyeda, Julie Winchester, Kristina Zucco, Lonnie Frazier, Gina Short and Eric DeLos Reyes.

Assemblyman Stewart moved that the Assembly adjourn until Wednesday, March 9, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:21 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-SECOND DAY

CARSON CITY (Wednesday), March 9, 1983

Assembly called to order at 11:01 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Terry W. Arnold.

Father, thank you for these assembled together to conduct our laws. We pray that your richest blessings would be upon each of their lives and upon the lives of their families and friends. We ask you, Father, that you would empower them with a very special wisdom, a very special power of deliberation, and, Father, we pray that you would give them a righteous indignation about the evil that goes on in our world. And, Father, we also pray that you would give them a double portion of a sense of humor, that they might conduct the business that is before them this day in a joyful manner. We pray these things in the name of Jesus Christ, our Lord and Savior.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 155, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Senate Bill No. 64; Senate Joint Resolution No. 3, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 189, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 236, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 7, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 16.

JANICE L. THOMAS
Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 16.

Assemblyman Getto moved the adoption of the resolution.

Remarks by Assemblyman Getto.

Assemblyman Vergiels requested that Assemblyman Getto's remarks be entered in the Journal:

Mr. Speaker and members of the Assembly, there are a few of us left here who were very well acquainted with Dr. Stein. I became acquainted with him through the University of Nevada. He was a dairy extensionist when he first came to the university and later became the Associate Director of Extension. Joe had a deep interest in Nevada. It was so remarkable since he grew up in New York. When he spent time in Nevada he became very interested in the natural resources of the state. He was a real protector of our natural resources and had a big hand in the movement of our Natural Resources Action Council. I knew Joe very well because we became friends, and I remember how pleased I was and how pleased he was when he was in middle life and became the father of two very lovely children, first a daughter and then a son. I personally miss Joe a great deal and I think it is a great loss to the state that a man like he died in his very young life, I think he was in his sixties. He would have had a great deal of ability and experience to give to this state and to the nation, but none of us can plan our destiny. I would certainly ask this body to extend its sympathy to his family. Thank you.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 326—An Act relating to the Nevada athletic commission; revising provisions relating to the handling of certain money received by the commission; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 327—An Act relating to public records; centralizing authority over disposition of old records; substituting the division of archives in the Nevada state library for the state printing and records division of the department of general services as the cooperating agency in development of schedules for disposition of old state records; removing certain powers of district courts, counties and school districts to destroy obsolete records; limiting the right of local governments to reclaim records sent to the state archives; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Bourne:

Assembly Bill No. 328—An Act relating to insurance; limiting the period for which an administrator must retain books and records of transactions with insurers and insureds to 5 years after the transaction rather than 5 years after terminating his agreement with the insurer; and providing other matters properly relating thereto.

Assemblyman Bourne moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 141.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Senate Bill No. 39 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Bremner moved that Assembly Bill No. 78 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bremner.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 190.

Bill read third time.

Remarks by Assemblyman Berkley.

Roll call on Assembly Bill No. 190:

YEAS—42.

NAYS—None.

Assembly Bill No. 190 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 39.

Bill read third time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 172.

Amend sec. 3, page 1, by deleting lines 11 and 12, and inserting:

"2. *Subsection 1 does not apply to the use of a dog to herd domestic animals at the direction or with the permission of the owner of those animals.*

3. Any person who violates the provisions of subsection 1 is guilty of a misdemeanor.''.

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

In compliance with a notice given on a previous day, Assemblyman Chaney moved that the vote whereby Senate Bill No. 42 was passed be reconsidered.

Remarks by Assemblyman Chaney.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 42.

Bill read third time.

Remarks by Assemblymen Sader and Collins.

Roll call on Senate Bill No. 42:

YEAS—40.

NAYS—Banner, Chaney—2.

Senate Bill No. 42 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Joint Resolution No. 15—Urging Congress to support the construction and operation of a high-speed train between Las Vegas, Nevada, and Los Angeles, California.

Assemblyman Kovacs moved that all rules be suspended, reading so far had considered first reading, rules further suspended, resolution considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Berkley, Bourne, Zimmer, Malone, Banner, Ham, Craddock, Schofield and Thompson:

Assembly Bill No. 329—An Act relating to mobile homes; requiring the separate accounting of certain money received by dealers in mobile homes; requiring escrow for sales of new and used mobile homes by dealers in mobile homes unless waived by the purchaser; providing a ground for disciplinary action against those dealers; providing penalties; and providing other matters properly relating thereto.

Assemblyman Berkley moved that the bill be referred to the Committee on Commerce.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 15.
Resolution read third time.
Remarks by Assemblyman Kovacs.
Roll call on Assembly Joint Resolution No. 15:
YEAS—42.
NAYS—None.

Assembly Joint Resolution No. 15 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker pro Tempore announced that there shall be a Joint Session of the Senate and Assembly, Wednesday, March 30, 1983, 11:30 a.m., for the purpose of hearing The Honorable Chic Hecht, United States Senator for Nevada.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 58, 208.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Virginia Henningsen, Jeannette Cowden, Barbara Cook, Jewel Heylek, Olympia Longo, Bruna O'Berry, Carola Allen, Karen Lehman, Jani Buron, Lea Yonker, Renee Kolvet, Joan Thran, Alvan Pearson and Hetty Anderson.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Barbara Fowler and Anita Nicholas.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Jean Sola.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. R. A. Witt.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, March 10, 1983, at 11 a.m.
Motion carried.
Assembly adjourned at 11:42 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-THIRD DAY

CARSON CITY (Thursday), March 10, 1983

Assembly called to order at 11:04 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Bergevin and Schofield, who were excused.

Prayer by the Chaplain, The Reverend Terry W. Arnold.

Father in Heaven, we thank you for this day. We thank you for the beauty of it. You told us in your word that it's a day that you have made and that we should rejoice and be glad in it. Help us to rejoice in our responsibilities and our privileges and the opportunities that you have given us this day. For it's in your name that we pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 264, 267, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 69, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 9, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 64, 88, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 99, 112, 127, 175.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 33.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Dini:

Assembly Bill No. 330—An Act relating to water; permitting the

irrigation of unimproved pasture; raising the threshold for holding elections on certain proposals of irrigation districts; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 99.

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

Motion carried.

Senate Bill No. 112.

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

Motion carried.

Senate Bill No. 127.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 175.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 164 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Banner moved that Assembly Bill No. 226 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Banner.

Motion carried.

Assemblyman Joerg moved that Assembly Bill No. 242 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Joerg.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 155.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 108.

Amend sec. 3, page 2, line 14, by deleting "*mobile*" and inserting "*manufactured*".

Amend sec. 3, page 2, line 16, by deleting "*mobile*" and inserting "*manufactured*".

Amend sec. 3, page 2, line 17, by deleting "*mobile*" and inserting "*manufactured*".

Amend sec. 3, page 2, line 18, by deleting "*mobile*" and inserting "*manufactured*".

Amend sec. 3, page 2, line 19, after "*home*", by inserting "*or manufactured home*".

Amend sec. 3, page 2, line 20, after "*home*", by inserting "*or manufactured home*".

Amend sec. 3, page 2, by deleting lines 22 through 35 and inserting:

"*2. As used in this section:*

(a) "Manufactured home" means a structure which is:

(1) Built on a permanent chassis;

(2) Designed to be used with or without a permanent foundation as a dwelling when connected to utilities;

(3) Transportable in one or more sections; and

(4) Eight feet or more in body width or 40 feet or more in body length when transported, or, when erected on site, contains 320 square feet or more.

(b) "Mobile home" has the meaning ascribed to it in chapter 489 of NRS.

3. As used in this section, "manufactured home" includes:

(a) The plumbing, heating, air-conditioning and electrical systems of the structure; and

(b) Any structure:

(1) Which meets the requirements of subparagraphs (1), (2) and (3) of paragraph (a) of subsection 1; and

(2) With respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.),

but does not include any structure built in compliance with the requirements of chapter 461 of NRS.".

Amend sec. 4, page 2, by deleting line 42 and inserting: "manufactured home and to exempt certain used mobile homes and manufactured homes from the".

Amend sec. 5, page 3, by deleting lines 5 through 17 and inserting:

"The proposed amendment to the Sales and Use Tax Act would provide for collecting the tax on the materials used to construct a new manufactured home and set the cost of materials at 60 percent of the price of the new manufactured home. It would exempt used mobile homes and used manufactured homes from the tax if a prior sale was taxed in this state. If the amendment is adopted, the legislature has provided that the Local School Support Tax Law and the City-County Relief Tax Law will be amended accordingly. A "Yes" vote is to provide for collecting the sales and use tax on 60 percent of the price of new manufactured homes and to exempt from the tax used mobile homes and used manufactured homes if a prior sale was taxed in this

state. A "No" vote is a vote to maintain the tax on the full value of each mobile home and each manufactured home each time it is sold.".

Amend sec. 9, page 3, line 37, by deleting "*mobile*" and inserting "*manufactured*".

Amend sec. 9, page 3, line 38, by deleting "*mobile*" and inserting "*manufactured*".

Amend sec. 9, page 3, line 40, by deleting "*mobile*" and inserting "*manufactured*".

Amend sec. 9, page 3, line 41, by deleting "*mobile*" and inserting "*manufactured*".

Amend sec. 9, page 3, line 42, after "*home*", by inserting "*or manufactured home*".

Amend sec. 9, page 3, line 43, after "*home*", by inserting "*or manufactured home*".

Amend sec. 9, page 4, by deleting lines 1 through 14 and inserting:

"*2. As used in this section:*

(a) "Manufactured home" means a structure which is:

(1) Built on a permanent chassis;

(2) Designed to be used with or without a permanent foundation as a dwelling when connected to utilities;

(3) Transportable in one or more sections; and

(4) Eight feet or more in body width or 40 feet or more in body length when transported, or, when erected on site, contains 320 square feet or more.

(b) "Mobile home" has the meaning ascribed to it in chapter 489 of NRS.

3. As used in this section, "manufactured home" includes:

(a) The plumbing, heating, air-conditioning and electrical systems of the structure; and

(b) Any structure:

(1) Which meets the requirements of subparagraphs (1), (2) and (3) of paragraph (a) of subsection 1; and

(2) With respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.),

but does not include any structure built in compliance with the requirements of chapter 461 of NRS.".

Amend the title of the bill, fourth line, after "mobile", by inserting "and manufactured".

Assemblyman Francis moved the adoption of the amendment.

Remarks by Assemblyman Francis.

Amendment adopted.

Assemblyman Francis moved that Assembly Bill No. 155 be rereferred to the Committee on Ways and Means.

Remarks by Assemblyman Francis.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 189.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 175.

Amend section 1, page 1, line 11, by inserting an open bracket before "by".

Amend section 1, page 1, by deleting line 14 and inserting: "ment.] *as provided in section 2 of this act.*".

Amend section 1, page 2, by deleting lines 1 through 3 and inserting: "*sexual conduct shall be punished as provided in section 2 of this act.*".

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. Chapter 200 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. Each person punishable pursuant to NRS 200.509 shall be punished:

(a) For a first offense:

(1) If the minor was under the age of 14 years, by imprisonment in the state prison for not less than 2 years nor more than 20 years, or by a fine of not more than $20,000, or by both fine and imprisonment.

(2) Otherwise, by imprisonment in the state prison for not less than 2 years nor more than 10 years, or by a fine of not more than $10,000, or by both fine and imprisonment.

(b) For a second offense, by imprisonment in the state prison for not less than 5 years nor more than 20 years, or by a fine of not more than $20,000, or by both fine and imprisonment.

The court shall not grant probation to or suspend the sentence of any person punishable pursuant to NRS 200.509.

2. All profits derived from a performance produced or promoted in violation of NRS 200.509 are subject to forfeiture upon the conviction of any person for that offense. The proceeding for their forfeiture may be brought and maintained in any court where jurisdiction over the money or property to be forfeited can be obtained.".

Amend the title of the bill, second line, by deleting "penalties;" and inserting "penalties and forfeiture;".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 236.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 64.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 3.

Resolution read second time and ordered to third reading.

Assembly Bill No. 164.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 176.

Amend the bill as a whole by renumbering sections 1 and 2 as sections 2 and 3 and adding a new section designated section 1, preceding section 1, to read as follows:

"Section 1. Chapter 99 of NRS is hereby amended by adding thereto a new section which shall read as follows:

When any loan is prepaid, the amount of interest earned must be computed by applying the agreed rate to the unpaid balance for each period. Any greater amount of interest which may have been precomputed and included in the balance due must be allowed as a credit on any amount due or refunded. This section does not preclude the imposition of any:

1. Penalty for prepayment; or

2. Single charge for making the loan,

to which the parties agree when the loan is made.".

Amend section 1, page 1, line 2, by deleting "*1.*".

Amend section 1, page 1, line 3, by deleting "[.] *as deter-*" and inserting: "[.] *, and for the compounding of interest if they choose. The parties shall specify in writing the rate upon which they agree, and that interest is to be compounded if so agreed.*".

Amend section 1, page 1, by deleting lines 4 through 10.

Amend sec. 2, pages 1 and 2, by deleting lines 13 through 19 on page 1 and lines 1 through 3 on page 2 and inserting:

"(a) At any rate of interest;

(b) Subject to the imposition of any charge *;* [in any amount;] and

(c) Upon any schedule of repayment,

to which the parties may agree.".

Amend the bill as a whole by inserting a new section, designated section 4, following section 3 (as renumbered), to read as follows:

"Sec. 4. This act shall become effective January 1, 1984.".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Assemblyman Stone moved that Assembly Bill No. 164 be re-referred to the Committee on Commerce.

Motion carried.

Bill ordered reprinted and engrossed.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 105, 274, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 129, 158, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

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

Assembly in recess at 11:26 a.m.

ASSEMBLY IN SESSION

At 11:33 a.m.
Mr. Speaker presiding.
Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 331—An Act relating to the practice of hypnosis; regulating the practice; creating the board of examiners for hypnosis and providing its organization, powers and duties; providing for licensing and disciplinary actions; requiring group policies and coverage provided by certain types of insurers to cover the services of a hypnotist; providing penalties; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 332—An Act relating to the Airport Authority of Washoe County; changing the requirements for short-term financing; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that Assemblyman Schofield is excused for the purpose of attending a meeting of the National Conference of State Legislatures.

GENERAL FILE AND THIRD READING

Assembly Bill No. 150.
Bill read third time.
Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 150:

YEAS—40.
NAYS—None.
Absent—Bergevin.
Excused—Schofield.

Assembly Bill No. 150 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 57.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Senate Bill No. 57:

YEAS—40.
NAYS—None.
Absent—Bergevin.
Excused—Schofield.

Senate Bill No. 57 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 141.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 141:

YEAS—40.
NAYS—None.
Absent—Bergevin.
Excused—Schofield.

Senate Bill No. 141 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 242.

Bill read third time.

The following amendment was proposed by Assemblyman Joerg:

Amendment No. 183.

Amend section 1, page 1, line 14, by deleting "*spouse*" and inserting "*agent*".

Amend section 1, page 1, line 17, by deleting "*spouse*" and inserting "*agent*".

Amend sec. 5, page 6, line 39, by deleting "*spouse*" and inserting "*agent*".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 33, 165.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Richard Hatzfeld.

On request of Mr. Speaker and Assemblyman Kovacs, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Moran.

On request of Assemblyman Chaney, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Gwyn Brown.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Juanita Cooper.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jean Sprecher and Mr. Andrew D. Giovo.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Aldo Benedetti and Ms. Carolyn Benedetti.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Jean Sola.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to students from McDermitt School, Nevada: Barbara Ferguson, Maxine Smart, Elena Dave, Virgil Smart, Richard Egan, Tina Schultz and Marion Gibsen.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Diana Stater.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Christine M. Boggs.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Mayer.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Williams and fourth grade students from Fremont Elementary School, Carson City, Nevada: Brett Barker, Jody Beach, Gordon Bean, Chris Brown, Colin Franzen, Victor Ignacio, Sammy Lompa, Steven Mendes, Kevin Oddieo, Danny Ouderkirk, Chris Randolph, Shawn Rounds, Jeff Wiseley, Donna Blakely, Gaylene Brandenburg, Brandy Canary, Jenifer Deaver, Anita Enders, Shannon Farnworth, Jessica Howerton, April Korman, Tabatha McLaren, Lisa Round, Danielle Smith, Lee Truong, Shannon Youngblood and Anna Price.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, March 11, 1983, at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:02 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-FOURTH DAY

CARSON CITY (Friday), March 11, 1983

Assembly called to order at 10:32 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblyman Schofield, who was excused.
Prayer by the Chaplain, The Reverend Terry W. Arnold.

Father, thank you for this day that you have given us. Thank you that it is Friday. We pray that today will be a very productive day for the assembly. We pray that it would be a day that begins a weekend of relaxation, worship and getting caught up on some of the things that we need to do. Be with us and guide us, our Father, for it is in your name that we pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 123, 156, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 204, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 10, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 79.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 15.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 168.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 135.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Nevin, Bourne, Banner, Kovacs, Stone, Malone, Fay, Marvel, Collins, Craddock, Beyer, Coffin, Berkley, Nicholas, Schofield, DuBois, Humke, Bilyeu, Francis, Zimmer, Swain, Thomas, Kerns, Sedway, Getto, Price, Thompson, Vergiels, Ham, Sader and Jeffrey:

Assembly Bill No. 333—An Act relating to service stations; requiring operators of service stations to assist persons who are disabled; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Ham, Bilyeu, DuBois, Stewart and Beyer:

Assembly Bill No. 334—An Act relating to education; requiring the state board of education to adopt qualifications of parents and courses of study for teaching children at home; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Bogaert, Getto, Kerns, Redelsperger, Bergevin, Dini, Marvel and Bilyeu:

Assembly Bill No. 335—An Act relating to energy and minerals; changing the regulatory authority for energy and minerals; creating the department of energy and minerals; adding a certain member to the state environmental commission; creating and increasing certain fees; and providing other matters properly relating thereto.

Assemblyman Bogaert moved that the bill be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

Senate Bill No. 135.

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

Motion carried.

Senate Bill No. 168.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 232, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Taxation.

PAUL W. MAY, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 105.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 264.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 267.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 274.
Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 69.
Bill read second time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 184.
Amend section 1, page 2, line 22, by deleting "may" and inserting "[may] *shall*".
Amend section 1, page 2, lines 23 and 24, by deleting "electric generating plant units" and inserting: "[electric generating plant units] *components of the public utility's plant*".
Amend section 1, page 2, line 26, by deleting "*may*" and inserting "*must*".
Amend the title of the bill, second line, after "revenues" by inserting: "and certain depreciation costs".
Assemblyman Stewart moved the adoption of the amendment.
Remarks by Assemblyman Stewart.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 129.
Bill read second time and ordered to third reading.

Senate Bill No. 158.
Bill read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 165, 261, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 64.
The following Senate amendment was read:
Amendment No. 114.
Amend section 1, page 1, line 2, after "may", by inserting: "*require a licensee or owner-developer to pay an administrative fine of not more than $500 for each violation he commits or*".

Amend section 1, page 1, by deleting lines 3 and 4 and inserting: "conditions [any] *his* license *or registration,* [issued under the provisions of this chapter] *or do both,* at any time [where] *if* the license *or*".

Amend the title of the bill to read as follows:

"An Act relating to the real estate; providing grounds for disciplinary action for owner-developers; authorizing the real estate commission to impose administrative fines; and providing other matters properly relating thereto.".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 64.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 88.

The following Senate amendment was read:

Amendment No. 117.

Amend section 1, page 1, by deleting lines 1 through 6 and inserting:

"Section 1. 1. Sections 3, 5 and 7 of chapter 310, Statutes of Nevada 1981, as amended by chapter 528, Statutes of Nevada 1981, at pages 1090, 1091 and 1092, respectively, are hereby repealed.

2. Section 8 of chapter 310, Statutes of Nevada 1981, at page 572, is hereby amended to read as follows:

Sec. 8. [1.] Section 1 of this act shall become effective upon passage and approval.

[2. Sections 3, 5 and 7 of this act shall become effective on July 1, 1983.]".

Amend the title of the bill, first line, by deleting: "changing the effective date of" and inserting "repealing".

Amend the summary of the bill, first line, by deleting: "Changes effective date for" and inserting "Repeals".

Assemblyman May moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 88.

Remarks by Assemblyman May.

Motion carried.

Bill ordered transmitted to the Senate.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 10:47 a.m.

ASSEMBLY IN SESSION

At 10:56 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 336—An Act relating to crimes and punishments; increasing the monetary threshold for distinguishing degrees of crime; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 337—An Act relating to taxes on retail sales; reducing the amount of reimbursement allowed to a taxpayer for the cost of collecting the taxes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 338—An Act relating to mechanics' liens; increasing the interest allowed in an action on a lien; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Berkley, Stone, Nevin, Malone, Collins, Jeffrey, Stewart, Humke, Swain, Ham, Bourne, Vergiels and May:

Assembly Bill No. 339—An Act relating to civil actions; imposing an additional filing fee to support legal aid programs for elderly persons; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 45.

The following Senate amendment was read:

Amendment No. 129.

Amend section 1, page 1, by deleting lines 5 and 6 and inserting: "undertaking *exceeds $50* or money deposited instead of bail bond [is in excess of $50,] *exceeds $500,* the court shall direct that the sureties *, or the depositor if he is not the defendant,* first be given".

Amend section 1, page 1, line 13, by deleting "sureties." and inserting: "sureties [.] *or the depositor.*".

Amend the title of the bill, first line, by deleting: "the undertaking or".

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 45.

Remarks by Assemblyman Stewart.

Motion carried.
Bill ordered enrolled.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 84, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Banner moved that Assembly Bill No. 226 be taken from the Chief Clerk's desk and placed on the General File.
Motion carried.

Mr. Speaker announced that Assemblyman Schofield is excused for the purpose of attending a meeting of the National Conference of State Legislatures.

GENERAL FILE AND THIRD READING

Assembly Bill No. 236.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 236:

YEAS—40.
NAYS—None.
Absent—Perry.
Excused—Schofield.

Assembly Bill No. 236 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 39.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Senate Bill No. 39:

YEAS—40.
NAYS—None.
Absent—Perry.
Excused—Schofield.

Senate Bill No. 39 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 64.
Bill read third time.
Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 64:

YEAS—41.
NAYS—None.
Excused—Schofield.

Senate Bill No. 64 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 3.

Resolution read third time.

Remarks by Assemblyman Craddock.

Roll call on Senate Joint Resolution No. 3:

YEAS—41.
NAYS—None.
Excused—Schofield.

Senate Joint Resolution No. 3 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 226.

Bill read third time.

The following amendment was proposed by Assemblyman Banner:

Amendment No. 193.

Amend section 1, page 1, line 10, after "*officer*" by inserting: "*If the medical question concerns the rating of a permanent disability, the hearing officer may refer the employee to a physician designated by the administrator.*".

Amend sec. 6, page 4, by deleting line 42 and inserting: "*terminate. His acceptance of that payment constitutes a final settlement of all factual and legal issues in the case. By so accepting he waives all of his rights regarding the claim, including the right to appeal from the closure of the case or the percentage of his disability, except:*".

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assemblyman Dini moved that the Assembly recess subject to the call of the Chair.

Assembly in recess at 11:15 a.m.

ASSEMBLY IN SESSION

At 11:21 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 250, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 11, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 17.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 17.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Jeffrey.

Resolution adopted unanimously.

By the Committee on Judiciary.

Assembly Joint Resolution No. 16—Proposing to amend section 21 of article 6 of the constitution of the State of Nevada, relating to the judicial department, by limiting the circumstances under which the records and proceedings of the commission on judicial discipline are confidential, and extending the commission's jurisdiction over judges of lower courts.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 21 of article 6 of the constitution of the State of Nevada be amended to read as follows:

Sec. 21. 1. A justice of the supreme court , [or a] district judge , *justice of the peace or municipal or police judge* may, in addition to the [provision] *provisions* of article 7 for impeachment [,] *and removal,* be censured, retired or removed by the commission on judicial discipline. A justice or judge may appeal from the action of the commission to the supreme court, which may reverse such action or take any alternative action provided in this subsection.

2. The commission is composed of:

(a) Two justices or judges appointed by the supreme court;

(b) Two members of the State Bar of Nevada, a public corporation created by statute, appointed by its board of governors; and

(c) Three persons, not members of the legal profession, appointed by the governor.

The commission shall elect a chairman from among its three lay members.

3. If at any time the State Bar of Nevada ceases to exist as a public corporation or ceases to include all attorneys admitted to practice before the courts of this state, the legislature shall provide by law, or if it fails to do so the *supreme* court shall provide by rule, for the appointment of attorneys at law to the positions designated in this section to be occupied by members of the State Bar of Nevada.

4. The term of office of each appointive member of the commission, except the first members, is 4 years. Each appointing authority shall appoint one of the members first appointed for a term of 2 years. If a vacancy occurs, the appointing authority shall fill the vacancy for the unexpired term. An appointing authority shall not appoint more than one resident of any county. The governor shall not appoint more than two members of the same political party. No member may be a member of a commission on judicial selection.

5. The [supreme court] *commission* shall make appropriate rules for [:

(a) The confidentiality of all proceedings before the commission, except a decision to censure, retire or remove a justice or judge.

(b) The grounds of censure.

(c) The] *the* conduct of investigations and hearings.

6. The supreme court shall make appropriate rules defining the grounds of censure.

7. No justice or judge may by virtue of this section be:

(a) Removed except for willful misconduct, willful or persistent failure to perform the duties of his office or habitual intemperance; or

(b) Retired except for advanced age which interferes with the proper performance of his judicial duties, or for mental or physical disability which prevents the proper performance of his judicial duties and which is likely to be permanent in nature.

[7.] *8.* Any person may bring to the attention of the commission any matter relating to the fitness of a justice or judge. The commission shall, after preliminary investigation, dismiss the matter or order a hearing to be held before it. If a hearing is ordered, a statement of the matter [shall] *must* be served upon the justice or judge against whom the proceeding is brought. The commission in its discretion may suspend a justice or judge from the exercise of his office pending the determination of the proceedings before the commission. Any justice or judge whose removal is sought is liable to indictment and punishment according to law. A justice or judge retired for disability in accordance with this section is entitled thereafter to receive such compensation as the legislature may provide.

[8.] *9.* If a proceeding is brought against a justice of the supreme court, no justice may sit on the commission for that proceeding. If a proceeding is brought against a district judge, no judge from the same judicial district may sit on the commission for that proceeding. If an appeal is taken from an action of the commission to the supreme court, any justice who sat on the commission for that proceeding is disqualified from participating in the consideration or decision of the appeal. When any member of the commission is disqualified by this subsection, the supreme court shall appoint a substitute from among the eligible judges.

[9.] *10.* The commission may:

(a) Designate for each hearing an attorney or attorneys at law to act as counsel to conduct the proceeding;

(b) Summon witnesses to appear and testify under oath and compel the production of books, papers, documents and records;

(c) Grant immunity from prosecution or punishment when the commission deems it necessary and proper in order to compel the giving of testimony under oath and the production of books, papers, documents and records; and

(d) Exercise such further powers as the legislature may from time to time confer upon it.

11. The existence and records of an investigation of the fitness of a justice or judge by the commission are confidential unless and until the contents are revealed in a hearing. The hearing and the records made during the hearing are open to the public. The deliberations of the commission are confidential but the decision of the commission must be made public. The commission shall provide by rule for preserving the confidentiality of records and proceedings when required by this subsection and for permitting attendance at hearings and the inspection of records when required by this subsection.

Assemblyman Berkley moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 340—An Act relating to local government employees; increasing the number of members on the local government employee-management relations board; increasing the compensation of those members; limiting the scope of mandatory bargaining; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 341—An Act relating to the general road fund of a county; increasing the apportionment to cities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 342—An Act relating to economic development by local governments; adding residential construction to the projects for which revenue bonds may be used; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 343—An Act relating to boxing; authorizing the imposition of an additional promoter's fee in connection with certain amateur boxing contests for the purchase of equipment for amateur boxing clubs; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 344—An Act relating to occupational diseases; removing the election of firemen and police officers with diseases of the heart or lungs to receive benefits for permanent total disability; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Getto, Redelsperger, Banner, Bergevin, Marvel, Nicholas, Joerg, Thomas, Sedway, Stone, Beyer, Bogaert, Collins, DuBois, Kerns, Nevin, Bourne, Ham, Zimmer, Francis, Malone, Fay, Bilyeu, Berkley, Bremner, Price, Dini, Thompson, Humke, Craddock, Kovacs, Coffin, Chaney and Perry:

Assembly Bill No. 345—An Act relating to regulation of the use of land; providing causes of action for damages caused by certain actions taken by a state or local agency upon an application for a permit and by zoning and other similar regulation; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 42; Senate Concurrent Resolution No. 16.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. David W. Toll.

On request of Assemblyman Bremner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Walther.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Shirlee Wedow.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Bridgette Nevin and Stephanie Nevin.

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

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, March 14, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:33 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-SEVENTH DAY

CARSON CITY (Monday), March 14, 1983

Assembly called to order at 11:01 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, Father James J. McGrath.

Let us Pray: (That our gratitude to God may bear fruit in loving service to our fellow men and women.)

Father, All Powerful, your gifts of love are countless and your goodness infinite. We come before you today with gratitude for your kindness. Open our hearts to concern for our fellow men and women so that we can share your gifts in loving service.

We ask you in a very special way to bless our lawfully elected lawmakers for our great state of Nevada, who are assembled during this time to deliberate on the future destiny of its people. We ask you to look upon this assembly of our state leaders and fill each one of them with the spirit of your wisdom. May they always act in accordance with your will, and their decisions be for the peace and well-being of all.

As we look around this vast state of Nevada, we cannot help but recognize your hand in its beauty and majesty. We ask you to give all our people in this state, work that enhances their human dignity and draw them closer to each other in the service of their brothers and sisters.

Through the efforts of each one, bring abundant prosperity and growth in holy living to each and every one in our communities.

God of perfect peace, violence and cruelty can have no part with you. May those who are at peace with one another hold fast to the good will that unites them, and may those who are enemies forget their hatred and be healed.

Help each one of us, lawmakers and those whom they serve, work without ceasing for that justice which brings true and lasting peace to all.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Brady 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 286, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 221, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 11, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 51, 101, 102, 154, 201.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 188, 198.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 35, 91.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 18.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 18—Directing the legislative commission to conduct an interim study of the effect of federal antitrust laws on the licensing of businesses by local governments.

Assemblyman Kovacs moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 18.

Assemblyman Dini moved the adoption of the resolution.

Remarks by Assemblyman Dini.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 346—An Act relating to the Nevada National Guard; authorizing a reduction in the percentage of the consolidated fee which may be paid as a benefit for certain members; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 347—An Act authorizing the state public defender to collect certain amounts from the counties for the use of his services; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 348—An Act relating to the protection and preservation of state property; directing the state board of examiners to issue state general obligation bonds for the purpose of providing fire protection in buildings of the University of Nevada System and other state buildings; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 349—An Act relating to veterans; permitting the Nevada commissioner for veteran affairs to collect fees for acting as guardian of certain estates; requiring the fees to be deposited in the state general fund; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Bourne, Bilyeu, Thomas, Vergiels, Nevin, Kerns, Bogaert, Berkley and Jeffrey:

Assembly Bill No. 350—An Act relating to public works; requiring the invitation of competitive bidding on large public works projects; and providing other matters properly relating thereto.

Assemblyman Bourne moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 35.

Assemblyman Brady moved that the bill be referred to the Committee on Elections.

Motion carried.

Senate Bill No. 91.

Assemblyman Brady moved that the bill be referred to the Committee on Elections.

Motion carried.

Senate Bill No. 188.

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

Motion carried.

Senate Bill No. 198.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 134, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

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

Assembly in recess at 11:14 a.m.

ASSEMBLY IN SESSION

At 11:15 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 123.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 202.
Amend section 1, page 1, by deleting lines 4 through 11 and inserting "exceed [$60,000,] *$100,000,*".
Amend the title of the bill, second line, by deleting "to follow the federal estate tax;" and inserting a semicolon.
Assemblyman Stewart moved the adoption of the amendment.
Remarks by Assemblyman Stewart.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 156.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 178.
Amend section 1, pages 1 and 2, by deleting lines 1 through 18 on page 1 and lines 1 through 13 on page 2 and inserting:
"Section 1. Chapter 453 of NRS is hereby amended by adding thereto a new section which shall read as follows:
1. A practitioner may purchase supplies of controlled substances from a pharmacy if he presents to the pharmacy a written order signed by him which contains his registration number issued by the Drug Enforcement Administration.
2. A hospital pharmacy or a pharmacy designated for this purpose by a district health officer may sell the holder of a permit for the operation of an ambulance service or air ambulance service supplies of controlled substances to stock his ambulances or replenish the stock if:
(a) The purchase order is countersigned by a physician; and
(b) The attendants of the ambulance are appropriately licensed by the state board of health or the state board of nursing.
3. The state board of pharmacy shall adopt regulations regarding the records a pharmacist shall keep of any purchase made pursuant to this section.".
Amend sec. 2, page 2, by deleting lines 16 through 18 and inserting:
"*1. A hospital pharmacy or a pharmacy designated for this purpose by a district health officer may sell the holder of a permit for the operation of an ambulance service or air*
ambulance service supplies of dangerous drugs to stock his ambulances or replenish the stock if:

(a) The purchase order is countersigned by a physician; and

(b) The attendants of the ambulance are appropriately licensed by the state board of health or the state board of nursing.

2. The state board of pharmacy shall adopt regulations regarding the records a pharmacist shall keep of such sales.''.

Amend sec. 3, page 2, line 37, by deleting ''*pharmacy*'' and inserting: ''*hospital pharmacy or a pharmacy so designated by a district health officer*''.

Amend the bill as a whole by inserting a new section, designated section 4, following section 3, to read as follows:

''Sec. 4. NRS 454.480 is hereby amended to read as follows:

454.480 1. Hypodermic devices may be sold by pharmacists on the prescription of a physician, dentist or veterinarian. Such prescriptions [shall] *must* be filed as required by NRS 639.236, and may be refilled as authorized by the prescriber. Records of refilling [shall] *must* be maintained as required by NRS 454.236 to 454.276, inclusive.

2. [Pharmacists] *Except as otherwise provided in subsection 3, pharmacists* and others holding hypodermic permits, unless the permit limits otherwise, may sell hypodermic devices without prescription for the following purposes:

(a) For use in the treatment of persons having asthma or diabetes.

(b) For use in injecting medications prescribed by a physician for the treatment of human beings.

(c) *For use in an ambulance for which a permit is held pursuant to NRS 450B.200 or 450B.210.*

(d) For the injection of drugs in animals or poultry.

[(d)] *(e)* For commercial or industrial use or use by jewelers or other merchants having need for such devices in the conduct of their business, or by hobbyists when the seller is satisfied that the device will be used for legitimate purposes.

[(e)] *(f)* For use by funeral directors and embalmers, licensed medical technicians or technologists, or research laboratories.

3. [The sale] *Only pharmacists may sell* without prescription [of] any hypodermic device intended for human use, as set forth in paragraphs (a) , [and] (b) *and (c)* of subsection 2 . [, shall be limited to pharmacists and all such sales must be recorded as provided in NRS 454.490.]''.

Amend the title of the bill by deleting the first through third lines and inserting:

''An Act relating to public health; authorizing the sale of supplies of controlled substances by pharmacies to practitioners; authorizing the sale of controlled substances, dangerous drugs and hypodermic devices to stock ambulances; and providing other matters''.

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblyman Swain.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 165.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 206.

Amend the bill as a whole by deleting section 3, and renumbering section 4 as section 3.

Amend the title of the bill, by deleting the third and fourth lines and inserting: "business; repealing statutory provisions relating to resident".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 204.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 201.

Amend sec. 4, page 2, by inserting between lines 16 and 17:

"2. *A state officer, department or agency which receives such a notice may satisfy any debt owed to it by that person before it honors the department's notice.*".

Amend sec. 4, page 2, line 17, by deleting "2." and inserting "*3.*".

Amend sec. 4, page 2, line 23, by deleting "*3.*" and inserting "*4.*".

Amend sec. 4, page 2, line 27, by deleting "*4.*" and inserting "*5.*".

Amend sec. 4, page 2, line 32, by deleting "*5.*" and inserting "*6.*".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 232.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 179.

Amend section 1, page 1, by deleting lines 4 through 11 and inserting:

"(a) The full cash value of:

(1) Vacant land by considering the uses to which it may lawfully be put, any legal or physical restrictions upon those uses, the character of the terrain, and the uses of other land in the vicinity.

(2) Improved land consistently with the use to which the improvements are being put.".

Amend section 1, page 2, line 4, after the period, by inserting: "*Each person determining the taxable value of property shall reduce it if necessary to comply with this requirement.*".

Amend section 1, page 2, by deleting lines 22 through 24 and inserting: "schedules.] *estimated economic life of the improvements,*

taking into account any remodeling or renovation of 10 percent or more of an improvement.''.

Amend the bill as a whole by renumbering section 3 as section 4 and inserting a new section designated section 3, following section 2, to read as follows:

''Sec. 3. NRS 361.357 is hereby amended to read as follows:

361.357 1. The owner of any property who believes that the full cash value of his property is less than the taxable value computed for the property in the current assessment year, may, before January 15 of the fiscal year in which the assessment was made, appeal to the county board of equalization. If the county board of equalization finds that the full cash value of the property is less than the taxable value computed for the property, the board shall adjust the factors applied to the property pursuant to NRS 361.227, particularly the rate of depreciation, to make the taxable value of the property correspond as closely as possible to its full cash value.

2. No appeal under this section may result in an increase in the taxable value of the property.

[3. Property found to be obsolete must be identified on the roll and reappraised for each year while it is so listed.]''.

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Assemblyman Price moved that Assembly Bill No. 232 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 250.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 208.

Amend sec. 4, page 1, line 16, by deleting ''*7*'' and inserting ''*10*''.

Amend sec. 5, page 3, by deleting line 5 and inserting: ''established by the judgment. The county recorder [shall be entitled to] *may*''.

Amend sec. 5, page 3, by deleting lines 7 through 9 and inserting: ''copy of the judgment and map , [the following sums:] $10 for the map, and [regular charges, as provided by law for the decree,] *the specific statutory fees for the judgment,* but not exceeding $50.''.

Amend the summary to read: ''Makes various changes in laws pertaining to county recorders. (BDR 20-514)''.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 261.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 205.

Amend section 1, page 1, line 19, by deleting "*civil penalty*" and inserting "*fine*".

Amend section 1, page 2, by deleting line 2 and inserting "*order.*".

Amend the bill as a whole by deleting section 3.

Amend the title of the bill, third line, by deleting "making certain contracts voidable;".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 84.

Bill read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 225, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

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

Assembly in recess at 11:26 a.m.

ASSEMBLY IN SESSION

At 11:27 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 105.

Bill read third time.

Remarks by Assemblymen Jeffrey, Bilyeu and Redelsperger.

Roll call on Assembly Bill No. 105:

YEAS—28.

NAYS—Bergevin, Beyer, Bilyeu, Francis, Getto, Ham, Joerg, Kerns, Malone, Marvel, Nevin, Nicholas, Redelsperger—13.

Not voting—Bremner.

Assembly Bill No. 105 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 189.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Assembly Bill No. 189:

YEAS—42.

NAYS—None.

Assembly Bill No. 189 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 242.

Bill read third time.

Remarks by Assemblymen Bogaert and Dini.

Roll call on Assembly Bill No. 242:

YEAS—36.

NAYS—None.

Not voting—Collins, Humke, May, Price, Redelsperger, Stewart—6.

Assembly Bill No. 242 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 274 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Jeffrey.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 264.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 264:

YEAS—42.

NAYS—None.

Assembly Bill No. 264 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 267.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 267:

YEAS—42.

NAYS—None.

Assembly Bill No. 267 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 129.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 129:

YEAS—42.
NAYS—None.

Senate Bill No. 129 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 158.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 158:

YEAS—42.
NAYS—None.

Senate Bill No. 158 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 258, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Joint Resolution No. 17—Urging the Congress of the United States to enact legislation which increases controls on the number of wild horses and burros and which authorizes additional methods of removing the animals from public lands.

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

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Redelsperger, Dini, Nicholas, Humke, Stone, DuBois, Joerg, Sedway, Brady and Getto:

Assembly Bill No. 351—An Act relating to taxation; increasing the exemptions for veterans from property tax and the privilege tax on vehicles; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 45, 64, 79; Senate Bill No. 141; Assembly Joint Resolution No. 15.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Chaney, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ruby Duncan.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Elaine Brown and third grade students from Hugh Gallagher Elementary School, Virginia City, Nevada: Peter English, Scott Foster, Carley Hansen, Brett Harris, Natalie Heath, Becky Johnson, Nathan McBride, Alicia Nelson, Rochelle O'Neill, Michelle Rodhouse, Emily Sappenfield, Geno Sherman, Jerry Shipman and Dustin Webster.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Alana Williams and members of the girls' basketball team, Carson City High School, Carson City, Nevada: Prim Walters, Teresa Dyke, Cyndy Ross, Tiffany Wilcox, Jaime Brown, Carla Swain, Lynn Sanchez, Jean Rivas, Amy Kimm, Barbara Morrow, Sarah Kimm, Jill Cody, Elizabeth Mellor and Jane Uramoto.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ted Prim.

Assemblyman Brady moved that the Assembly adjourn until Tuesday, March 15, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:06 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-EIGHTH DAY

CARSON CITY (Tuesday), March 15, 1983

Assembly called to order at 11:01 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Chaney and Craddock, who were excused.

Prayer by the Chaplain, Father James J. McGrath.

Let us Pray: Heavenly Father, we have seen the depths of your love for every man and woman, and we have been reminded of our negligence towards others as well.

We ask you in a very special way to continue to shower your gift of wisdom on all our lawfully constituted lawmakers who are gathered during this time to provide for the future well-being and security of all the people of our state.

Father, you have given all peoples one common origin and your will is to gather them as one family in yourself. Fill the hearts of all of us with the fire of your love and the desire to ensure justice for all our brothers and sisters here in this Silver State.

By sharing the good things you give us may we secure justice and equality for every human being, an end to all division and a human society built on love and peace.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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 14, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 34, 63, 110, 147.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 103, 205, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 12.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 189.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 53, 195.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 113.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 53.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 189.

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

Motion carried.

Senate Bill No. 195.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 218, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Taxation.

JOSEPH E. DINI, JR., *Chairman*

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

Assembly in recess at 11:09 a.m.

ASSEMBLY IN SESSION

At 11:14 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 134.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 216.

Amend section 1, page 1, line 4, after "*who*" by inserting: ", *at the time of the bid,*".

Amend section 1, page 1, line 10, after "*work*" by inserting: "*from a responsive and responsible bidder*".

Amend the bill as a whole by inserting a new section, designated section 3, following section 2, to read as follows:

"Sec. 3. NRS 332.105 is hereby amended to read as follows:

332.105 1. A bid bond, performance bond, payment bond or any combination thereof, with sufficient surety, in such amount as may be determined necessary by the governing body or its authorized representative, may be required of each bidder or contractor on a particular contract.

2. Any such bonds may be to insure proper performance of the contract and save, indemnify and keep harmless the local government against all loss, damages, claims, liabilities, judgments, costs and expenses which may accrue against the local government in consequence of the awarding of the contract.

3. If a local government requires such a bond, it shall not also

require a detailed financial statement from each bidder on the contract.''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 221.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 194.

Amend section 1, page 1, by deleting line 5 and inserting ''lic examination. Notice''.

Amend section 1, page 1, line 6, by deleting ''*244.105, notice*''.

Amend section 1, page 1, line 10, by deleting ''3 working'' and inserting ''[3 working] *15*''.

Amend sec. 3, page 2, by deleting line 42 and inserting ''tion. Notice''.

Amend sec. 3, page 3, lines 2 and 3, by deleting ''1 week'' and inserting: ''[1 week] *15 days*''.

Amend sec. 6, page 4, line 15, by deleting ''[Notice of'' and inserting ''Notice of [''.

Amend sec. 6, page 4, by deleting line 16 and inserting ''filing shall]''.

Amend sec. 6, page 4, line 17, by deleting ''*of*''.

Amend sec. 6, page 4, line 20, by deleting ''3 days prior to'' and inserting: ''[3 days prior to] *15 days before*''.

Amend sec. 7, page 5, by deleting line 18 and inserting: '', notice of [such filing shall] *the fil-*''.

Amend sec. 7, page 5, line 21, by deleting ''1 week prior to'' and inserting: ''[1 week prior to] *15 days before*''.

Amend sec. 8, page 6, by deleting line 16 and inserting: ''section 3, notice of [such filing shall]''.

Amend sec. 8, page 6, line 17, by deleting ''*of*''.

Amend sec. 8, page 6, line 18, by deleting ''1 week prior to'' and inserting: ''[1 week prior to] *15 days before*''.

Amend sec. 9, page 7, lines 9 and 10, by deleting ''[,] *and NRS 268.012,*'' and inserting '','.

Amend sec. 9, page 7, line 12, by deleting ''1 week prior to'' and inserting: ''[1 week prior to] *15 days before*''.

Amend sec. 10, page 8, by deleting line 2 and inserting: ''in subsection 3, notice of [such filing shall]''.

Amend sec. 10, page 8, line 3, by deleting ''*notice of*''.

Amend sec. 10, page 8, lines 5 and 6, by deleting ''1 week prior to'' and inserting: ''[1 week prior to] *15 days before*''.

Amend sec. 11, page 9, by deleting line 2 and inserting: ''section 3, notice of [such filing shall]''.

Amend sec. 11, page 9, line 3, by deleting ''*of*''.

Amend sec. 11, page 9, line 5, by deleting "1 week prior to" and inserting: "[1 week prior to] *15 days before*".

Amend sec. 12, page 10, by deleting line 1 and inserting: ", notice of [such filing shall] *the fil-*".

Amend sec. 12, page 10, line 4, by deleting "1 week prior to" and inserting: "[1 week prior to] *15 days before*".

Amend sec. 13, page 10, line 43, by deleting "[,] *and NRS 268.012,*" and inserting ",".

Amend sec. 13, page 11, line 2, by deleting "1 week" and inserting: "[1 week] *15 days*".

Amend sec. 14, page 12, by deleting lines 1 and 2 and inserting: "provided in subsection 3, notice of the filing [shall] *must* be published once in a newspa-".

Amend sec. 14, page 12, lines 4 and 5, by deleting "1 week" and inserting: "[1 week] *15 days*".

Amend sec. 15, page 12, by deleting line 40 and inserting: ", notice of [such filing shall] *the fil-*".

Amend sec. 15, page 12, line 43, by deleting "1 week prior to" and inserting: "[1 week prior to] *15 days before*".

Amend sec. 16, page 13, line 37, by deleting "[, notice of" and inserting ", notice of [".

Amend sec. 16, page 13, line 38, by deleting: "*and NRS 268.012, notice of*".

Amend sec. 16, page 13, line 41, by deleting "1 week prior to" and inserting: "[1 week prior to] *15 days before*".

Amend sec. 17, page 14, by deleting line 32 and inserting: "section 3, notice of [such filing shall]".

Amend sec. 17, page 14, line 33, by deleting "*of*".

Amend sec. 17, page 14, line 35, by deleting "1 week prior to" and inserting: "[1 week prior to] *15 days before*".

Amend sec. 18, page 15, line 31, by deleting the bracket.

Amend sec. 18, page 15, by deleting line 32 and inserting: "of [such] *the* filing, together with an".

Amend sec. 18, page 15, line 36, by deleting "1 week prior to" and inserting: "[1 week prior to] *15 days before*".

Amend the title of the bill, second line, by deleting "certain".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 225 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 258.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 213.

Amend sec. 2, page 2, lines 23 and 24 by deleting "[and changed]" and inserting: "and [changed] *realigned, if necessary,*".

Amend sec. 2, page 2, by deleting line 25 and inserting: "board of supervisors. The boundaries of wards [shall be changed".

Amend sec. 2, page 2, line 34, after the bracket by inserting: "*must be reconsidered once every 10 years*".

Amend sec. 4, page 3, line 23, before ", except" by inserting an open bracket.

Amend sec. 4, page 3, line 24, after "City," by inserting a closed bracket.

Amend sec. 4, page 3, line 33, before ", except" by inserting an open bracket.

Amend sec. 4, page 3, line 34, after "City," by inserting a closed bracket.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 286.

Bill read second time, ordered engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 206, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 226.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 226:

YEAS—40.

NAYS—None.

Absent—Chaney, Craddock—2.

Assembly Bill No. 226 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 69.

Bill read third time.

Remarks by Assemblyman Berkley.

Roll call on Senate Bill No. 69:

YEAS—38.
NAYS—None.
Absent—Chaney, Craddock—2.
Not voting—Collins, May—2.

Senate Bill No. 69 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 84.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 84:

YEAS—40.
NAYS—None.
Absent—Chaney, Craddock—2.

Senate Bill No. 84 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 205.

The following Senate amendment was read:

Amendment No. 189.

Amend section 1, page 1, by deleting line 6 and inserting "*NRS 585.495.*".

Assemblyman May moved that the Assembly concur in the Senate amendment to Assembly Bill No. 205.

Remarks by Assemblyman May.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 51, 101, 102, 154, 201; Senate Bills Nos. 64, 113; Senate Joint Resolution No. 3; Senate Concurrent Resolution No. 17.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. and Mrs. Humphrey, Mr. Bob Fierro, Miss Jane Imamura, Mrs. Mary Jane Carlson and sixth grade students from Dayton Elementary School, Dayton, Nevada: Larry Alexander, Brian Breckenridge, Austin Crouch, Bob Collins, Clint Housel, Matt Humphrey, Rusty Gahr, Dennis Graff, Matt Fulton, John Fleckenstein, John Storlie, Rich Wilkinson, Paul Herbert, Rob Orr, Ardelle Deltgen, Tammy Epps, Wendy Hicks,

Jennifer McEachin, Jenny Memmott, Bobbie Sue Kinard, Celeste Rolland, Crystal Moebius, Michelle Parsons, Janet Warren, Joanne Stewart, Julie Crowder, Debbie Martin, David Alexander, Tricia Dain, Marcus Keirzi, Danelle Thomas, Athena Boyer, Stephanie Brown, Brian Elder, Rebecca McBean, Deana Davis, Sara Ertel, Kelly Jensen, Denise Davidson, Steve Young, Melissa Tennant, Rhonda Peterson, Erin Thrailkill, Ricky Denny, Martin Johnson, Donny Owens, Jeff Foster and Wanda Barr.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jack Neal, Ms. Cathy Retterer and seniors from Reno High School, Reno, Nevada: Karen Ebner, Ryan Earl, Joel Woodward, Gloria Walker, Mary Carie, Darrin Gerogeson, Jill Carducci, Cristi Jones, Andy Larson, Kimberly Koas, Sabrina Huntley, Keri Jarrett, Barbie Lanigar, Robert Woodward, Carl Romero, Sena Upson, Jocelyn Whitehead, Marian Shorricks and Phil Robertson.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Debbie Lee Bigley.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, March 16, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:42 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE FIFTY-NINTH DAY

CARSON CITY (Wednesday), March 16, 1983

Assembly called to order at 11:04 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Father James J. McGrath.

Let us Pray:

O Almighty Father, the source of all wisdom, whose statutes are good and gracious and whose law is truth, guide and direct our state legislature so that by just and prudent laws they may promote the well-being of all our people.

Heavenly Father, You have charged us with the task of building on this earth a home where all the nations dwell in unity, liberty and justice. We pray for strength and purpose to make officers in every branch of government and especially that of our state, accountable to all the people, fulfilling roles of service and responsibility so that they may seek justice and protect the weak and lead us in constructing institutions for our peace and mutual aid.

And now, O Father of heaven and earth, on this the eve of your great saint, PATRICK, we know that you made a special people with a twinkle in their eyes, and with smiles upon their faces—a people strong and wise! You called these folk: "THE IRISH" and gave them your green sod,—a bit of heaven here on earth, where they commune with you their God.

And so on this special day, we pray for all our legislators: That the road may always rise with them, and the wind be always at their back, May the sun shine warm upon their face and the rain fall soft upon their fields and until we meet again, May you, O Lord, hold each one of them in the palm of your hand.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which were referred Assembly Bills Nos. 251, 253, 278, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 119, 160, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 257, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Education, to which were referred Assembly Bills Nos. 169, 170, 171, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT G. CRADDOCK, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 15, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 198, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 156.

MAE LOFTHOUSE
Assistant Secretary of the Senate

GENERAL FILE AND THIRD READING

Assembly Bill No. 123.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Assembly Bill No. 123:

YEAS—42.
NAYS—None.

Assembly Bill No. 123 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 156.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Assembly Bill No. 156:

YEAS—42.
NAYS—None.

Assembly Bill No. 156 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 165.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 165:

YEAS—42.
NAYS—None.

Assembly Bill No. 165 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 204.
Bill read third time.
Remarks by Assemblymen Joerg and Bourne.

Roll call on Assembly Bill No. 204:

YEAS—42.

NAYS—None.

Assembly Bill No. 204 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 250.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 250:

YEAS—42.

NAYS—None.

Assembly Bill No. 250 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 261.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 261:

YEAS—42.

NAYS—None.

Assembly Bill No. 261 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 286.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Assembly Bill No. 286:

YEAS—40.

NAYS—Bourne, Stewart—2.

Assembly Bill No. 286 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Beyer:

Assembly Bill No. 352—An Act relating to actions for malpractice; providing for panels for conciliation to hear malpractice claims against architects, professional engineers and land surveyors; providing for the organization, powers and duties of those panels; providing civil immunity to administrators and members of the panels; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Thomas, Banner, Malone, Stone, Nevin, Berkley, Collins, Bogaert, Nicholas, Bourne, Kerns, Humke, Joerg, Zimmer, Fay, Ham and Getto:

Assembly Bill No. 353—An Act relating to beer; requiring the disclosure of its alcoholic content on the label; and providing other matters properly relating thereto.

Assemblyman Thomas moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Jeffrey and Thompson:

Assembly Bill No. 354—An Act relating to wildlife; limiting each hunter of bighorn sheep to one during his lifetime; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Sedway, Thomas, Perry and DuBois:

Assembly Bill No. 355—An Act relating to capital improvements; authorizing the state public works board to carry out certain projects at the Cheyenne Campus of Clark County Community College; specifying certain powers, duties and requirements of the state public works board respecting those projects; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Sedway, Beyer and Perry:

Assembly Bill No. 356—An Act relating to public welfare; extending assistance to dependent children who live with both parents; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Concurrent Committees on Health and Welfare and Ways and Means.

Motion carried.

Senate Bill No. 156.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 225 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Thompson.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 206.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 229.

Amend the bill as a whole by renumbering section 1 as section 3 and adding new sections designated sections 1 and 2, preceding section 1, to read as follows:

"Section 1. Chapter 172 of NRS is hereby amended by adding thereto a new section which shall read as follows:

A district court may impanel a grand jury to inquire into a specific limited matter among those set forth in NRS 172.175. In that case, the court shall charge the grand jury as to its limited duties and give it such information as the court deems necessary. A grand jury which is impaneled for a specific limited purpose shall not inquire into matters not related to that purpose.

Sec. 2. NRS 172.175 is hereby amended to read as follows:

172.175 1. [The grand jury must] *Each grand jury which is not impaneled for a specific limited purpose shall* inquire into:

(a) The case of every person imprisoned in the jail of the county, on a criminal charge, against whom an indictment has not been found or an information or complaint filed [.] *;*

(b) The condition and management of the public prisons within the county [.] *; and*

(c) The misconduct in office of public officers of every description within the county.

2. [The] *A* grand jury *which is not impaneled for another specific limited purpose* may inquire into and report on any [and all] matters affecting the morals, health and general welfare of the inhabitants of the county, or of any administrative division thereof, or of any township, incorporated city, irrigation district or town therein.

3. [No] *A* report issued pursuant to this section [shall] *must not* single out any person or persons [which] directly or by innuendo, imputation or otherwise [accuses] *or accuse* such person or persons of a wrongdoing which if true would constitute an indictable offense unless the report is accompanied by a presentment or indictment of such person or persons. At the time any grand jury is impaneled, the provisions of this subsection [shall] *must* be included in the charge to [such] *the* grand jury.".

Amend the bill as a whole by renumbering section 2 as section 6 and adding new sections designated sections 4 and 5, preceding section 2, to read as follows:

"Sec. 4. NRS 6.110 is hereby amended to read as follows:

6.110 1. In any county having a population of 30,000 or more, the selection of persons as proposed grand jurors must be made in the manner prescribed in this section upon notice from any district judge as often as the public interest may require and at least once in each 4 years. The clerk of the court under the supervision of the district judge presiding over the impaneling of the grand jury shall select at random the names of not more than 1,000 qualified persons to be called as prospective grand jurors. The clerk shall then prepare and mail to

each person whose name was selected a questionnaire prepared by the district judge stating the amount of pay, the estimated time required to serve and the duties to be performed. Each recipient of the questionnaire must be requested to complete and return the questionnaire, indicating thereon his willingness and availability to serve on the grand jury. The clerk shall continue the selection of names and mailing of questionnaires until a panel of 100 persons who are willing to serve is established.

2. A list of the names of persons who indicated their willingness to serve as grand jurors must be made by the clerk of the court and a copy furnished to each district judge. The district judges shall meet within 15 days thereafter and shall, in order of seniority, each select one name from the list until 36 persons have been selected. A list of the names of the persons selected as proposed grand jurors must be made by the clerk, certified by the district judges making the selection and filed in the clerk's office. The clerk shall immediately issue a venire, directed to the sheriff of the county, commanding him to summon the proposed grand jurors to attend in court at such time as the district judge directs.

3. The sheriff shall summon the proposed grand jurors, and the district judge presiding over the impaneling of the grand jury shall select at random from their number 17 persons to constitute the grand jury . [and 12 persons to] *The 19 persons not so selected must* act as alternate grand jurors. If for any reason [eight or more] *a* proposed grand [jurors fail] *juror fails* to appear, additional proposed grand jurors sufficient to complete the panel of grand jurors and alternates must be selected from the list of prospective grand jurors by the district judge presiding over the impaneling, and the persons so selected must be summoned to appear in court at such time as he directs.

4. Every person named in the venire as a grand juror must be served by the sheriff mailing a summons to such person commanding him to attend as a juror at a time and place designated therein. The summons must be registered or certified and deposited in the post office addressed to the person at his usual mailing address. The receipt of the person so addressed for the registered or certified summons must be regarded as personal service of the summons upon such person and no mileage may be allowed for service. The postage and fee for registered or certified mail must be paid by the sheriff and allowed him as other claims against the county.

5. If for any reason a person selected as a grand juror is unable to serve on the grand jury until the completion of its business, the district judge shall select one of the alternate grand jurors to serve in his place. An alternate must be served by the sheriff in the manner provided in subsection 4.

Sec. 5. NRS 6.120 is hereby amended to read as follows:

6.120 1. In any county having a population of less than 30,000, the *selection of persons proposed as grand jurors must be made in the manner prescribed by this section upon notice from any district judge*

as the public interest may require. The county clerk under the supervision of the district judge, shall randomly select the names of 50 qualified persons to serve as prospective grand jurors. The county clerk shall then prepare and mail to each person whose name was selected a questionnaire drawn up by the district judge or presiding district judge, where applicable, stating the amount of pay, the estimated time required to serve, and the duties to be performed. Each recipient of the questionnaire shall be requested to return the questionnaire, indicating on it his willingness to serve on the jury. The county clerk shall continue the selection of names and mailing of questionnaires until a panel of 36 persons who are willing to serve is established. [The requirement of subsection 1 of NRS 6.110 that a grand jury must be called at least once in every 4 years does not apply to the county unless the district judge otherwise directs.] A list of the names of the 36 persons who indicate their willingness to serve as grand jurors must be made and certified by the county clerk and filed in the county clerk's office, and the clerk shall immediately issue a venire, directed to the sheriff of the county, commanding him to summon the persons willing to serve as grand jurors to attend in court at such time as the district judge may have directed.

2. The sheriff shall summon the grand jurors, and out of the number summoned each district judge in rotation according to seniority, shall select one name from the venire until 17 persons to constitute the grand jury [and 12 persons to act as alternate grand jurors] are chosen. *The 19 persons not so chosen must act as alternate grand jurors.*

3. Every person named in the venire as a grand juror shall be served by the sheriff mailing a summons to that person commanding him to attend as a juror at a time and place designated therein, which summons shall be registered or certified and deposited in the post office addressed to the person at his usual post office address. The receipt of the person addressed for the registered or certified summons must be regarded as personal service of the summons upon that person and no mileage may be allowed for service. The postage and fee for registered or certified mail must be paid by the sheriff and allowed him as other claims against the county.

4. If for any reason a person selected as a grand juror is unable to serve on the grand jury until the completion of its business, the district judge shall select one of the alternate grand jurors to serve in his place. The alternate shall be served by the sheriff in the manner provided in subsection 3.''.

Amend the title of the bill, second line, after ''time;'' by inserting: ''increasing the number of alternate jurors;''.

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 218.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 185.

Amend sec. 8, page 2, lines 13 and 14, by deleting: "*who is not a resident of this state*".

Amend sec. 12, page 3, line 17, by deleting "*$3,000,*" and inserting "*$4,000,*".

Amend the bill as a whole by inserting a new section, designated section 13.5, following section 13, to read as follows:

"Sec. 13.5. *When hospital care is furnished to a person on account of an injury suffered in a motor vehicle accident, the requirement for immediate removal to another county does not apply, but after the hospital has exhausted its remedies pursuant to sections 2 to 17, inclusive, of this act, the hospital has a legal claim against that county for the amount of any unpaid charges, excluding charges for services rendered by private physicians.*".

Amend sec. 14, page 3, by inserting between lines 34 and 35:

"*4. At the end of each fiscal year all money in the fund, against which there are no claims for reimbursement or partial reimbursement, must be distributed to each county in the proportion which its assessed valuation bears to the total assessed valuation of the state. Payments to each county must be made not later than January 1 of the following fiscal year. All money collected or received by the county pursuant to sections 2 to 17, inclusive, of this act must be expended for the purposes specified in NRS 428.010.*".

Amend sec. 15, page 3, by deleting lines 38 and 39 and inserting: "*Nevada Association of Counties.*".

Amend sec. 17, page 4, by deleting lines 20 through 29.

Amend sec. 17, page 4, line 30, by deleting "*3.*" and inserting "*2.*".

Amend sec. 17, page 4, line 32, after "*rate*" by inserting "*, if any,*".

Amend sec. 17, page 4, line 33, by deleting "*2.*" and inserting "*1.*".

Amend sec. 17, page 4, line 41, by deleting "*4.*" and inserting "*3.*".

Amend sec. 17, page 5, line 1, by deleting "*5.*" and inserting "*4.*".

Amend sec. 17, page 5, line 5, by deleting "*6.*" and inserting "*5.*".

Amend sec. 19, page 5, line 41, by deleting "*subsection 5,*" and inserting: "*section 13.5 of this act,*".

Amend sec. 19, page 6, by deleting lines 11 through 18.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Assemblyman Dini moved that Assembly Bill No. 218 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted and engrossed.

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

Assembly in recess at 11:32 a.m.

ASSEMBLY IN SESSION

At 11:41 a.m.
Mr. Speaker presiding.
Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 225.
Bill read second time.
The following amendments were proposed by the Committee on Natural Resources, Environment and Agriculture:
Amendment No. 217.
Amend section 1, page 2, line 12, by deleting "*$10*" and inserting "*$7.50*".
Amend section 1, page 2, line 38, by deleting "*$10.*" and inserting "*$7.50.*".
Amendment No. 234.
Amend the bill as a whole by inserting a new section designated section 3, following section 2, to read as follows:
"Sec. 3. This act shall become effective on January 1, 1984.".
Assemblyman Thompson moved the adoption of the amendments.
Remarks by Assemblyman Thompson.
Amendments adopted.
Bill ordered reprinted, engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which were referred Assembly Bill No. 215; Senate Bill No. 44, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDWARD J. KOVACS, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Education:
Assembly Bill No. 357—An Act relating to public schools; providing that all handicapped minors may be admitted at the age of 3 years; and providing other matters properly relating thereto.
Assemblyman Stewart moved that the bill be referred to the Committee on Education.
Motion carried.

By the Committee on Judiciary:
Assembly Bill No. 358—An Act relating to criminal procedure; shortening the time of imprisonment required for an unpaid fine; increasing the rate credited for public work against a fine; deleting or repealing the corresponding sections in the city charters; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 359—An Act relating to criminal procedures; broadening provisions for joinder of offenses; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 360—An Act relating to bail; limiting the right to bail in certain circumstances; providing additional factors to be considered in the determination of the amount of bail; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 361—An Act relating to architecture; making various changes to the law governing that practice; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Coffin:

Assembly Bill No. 362—An Act relating to registration of motor vehicles; authorizing special license plates for honorary foreign consuls; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 363—An Act relating to the tax on transfers of real property; exempting transfers in which the conveying party owns a controlling interest in the business organization to which the conveyance is made; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Jeffrey, Banner, Thompson, Collins, Fay, Brady, Dini, Schofield, Thomas, May, Kovacs and Perry:

Assembly Bill No. 364—An Act relating to industrial insurance; providing a penalty for an employer's discharge of or discrimination

against an employee because he has sought benefits under such insurance; providing a penalty where an insurer induces the action; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 198.

The following Senate amendment was read:

Amendment No. 181.

Amend section 1, page 1, lines 7 and 8, by deleting: "*in writing, at least 10 days before the hearing,*".

Assemblyman May moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 198.

Remarks by Assemblyman May.

Motion carried.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 216, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 16, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 20.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 20.

Assemblyman Zimmer moved the adoption of the resolution.

Remarks by Assemblymen Zimmer and Swain.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen DuBois, Bremner, Sedway, Banner, Nicholas, Beyer, Craddock, Joerg, Francis, Brady, Thomas, Coffin, Redelsperger, Bogaert, Dini, Bergevin, Thompson, Malone, Fay, Perry, Collins, Jeffrey and Zimmer:

Assembly Bill No. 365—An Act relating to municipal obligations; requiring that advertisements, the notice of election and the ballot include an estimate of the increase in the tax rate if the obligation is

issued or incurred; requiring the governing body to estimate the increase; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 34, 63, 110, 147, 205; Senate Bills Nos. 129, 158; Assembly Joint Resolution No. 12; Senate Concurrent Resolution No. 18.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Tim Lukas and John Shuman.

On request of Assemblyman Bilyeu, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kelly G. Horton, Karen Weight and Mr. Neil McQueary.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Judi Bailey.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jack Neal, Ms. Cathy Retterer and students from Reno High School, Reno, Nevada: Steve Woodbury, Marni Baker, Jon Damoth, Scott Rodgers, Shawn Smith, Erica Varble, Suzi Thrailkill, Naazneen Dalal, Chris Hollister, Cynthia Spence, Angela Schoen, Bill Ziegenhorn, Lori Loper, Twylla Cox, Kim Cummings, Dori Orlich, Shannon Runyon, Freya Stegall, Brad Wilkinson, Mike Wolder, Jeff Heath, Joel Cathey, Marta Fisher, Margie Monroe, Kirby Rodgers, Sherrie Bianco, Christina Yarbrough, Lauren Kreutzian, Juergen Heimann, Mark Stoess, Eric Smith, Marc Rissone, Naomi Siegel, Beata Oleisniewicz, Anthony Lifur, Tim Morrison, David Gordon and Stephanie Joslin.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, March 17, 1983, at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:01 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTIETH DAY

CARSON CITY (Thursday), March 17, 1983

Assembly called to order at 10:34 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend C. Harold Van Zee.

"O Master, let us walk with thee in lowly paths of service free; tell us thy secret: Help us bear the strain of toil, the fret of care."

Teach us thy patience. Help us to learn more and more to live by the faith that life's true values are spiritual and are expressed in our daily contacts, by character unsullied, and kindness, cheerfulness, humility, and compassion. In thy light may we see clearly that the chief issues we face lie deeper far than human praise or blame and have to do with life's meaning and purpose and ultimate goals. So, "lead on, O King Eternal: We follow, not with fears; for gladness breaks like morning where'er thy face appears; thy cross is lifted o'er us; we journey in its light: The crown awaits the conquest; lead on, O God of might."

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 50, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was re-referred Assembly Bill No. 164, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 85, 284, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 16, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 24, 25, 29, 182.

Also, I have the honor to inform your honorable body that the Senate amended, and

on this day passed, as amended, Assembly Bill No. 28, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 8.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bills Nos. 39, 57.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 19.

MAE LOFTHOUSE
Assistant Secretary of the Senate

SECOND READING AND AMENDMENT

Assembly Bill No. 169.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 170.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 171.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 215.
Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 216.
Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 226.

Amend section 1, page 1, line 2, before "Except" by inserting an open bracket.

Amend section 1, page 2, by deleting lines 15 through 24 and inserting: "the county or district board of health.] *the state board of health shall adopt regulations to control the disposal of sewage in this state. Those regulations are effective except in health districts in which a district board of health has adopted regulations to control the disposal of sewage in that district.*

2. A board which adopts such regulations shall consider and take into account the geological, hydrological and topographical characteristics of the area within its jurisdiction.

3. The regulations adopted pursuant to this section must not conflict with the provisions of NRS 445.131 to 445.354, inclusive, and any regulations adopted pursuant to those provisions.".

Amend the bill as a whole by adding new sections designated as sections 2 and 3, following section 1, to read respectively as follows:

"Sec. 2. NRS 439.200 is hereby amended to read as follows:

439.200 1. The state board of health may by affirmative vote of a majority of its members adopt, amend and enforce reasonable regulations consistent with law:

(a) To define and control dangerous communicable diseases.

(b) To prevent and control nuisances.

(c) To regulate sanitation and sanitary practices in the interests of the public health.

(d) To provide for the sanitary protection of water and food supplies.

[and the control of sewage disposal, but the regulations governing sewage disposal must not conflict with the provisions of the Nevada Water Pollution Control Law or regulations adopted thereunder.]

(e) To govern and define the powers and duties of local boards of health and health officers, except with respect to the provisions of NRS 444.440 to 444.620, inclusive, *NRS 444.650* and NRS 445.080 to 445.710, inclusive.

(f) To protect and promote the public health generally.

(g) To carry out all other purposes of this chapter.

2. Such regulations have the effect of law and supersede all local ordinances and regulations inconsistent therewith, except those local ordinances and regulations which are more stringent than the state regulations provided for in this section.

3. A copy of every regulation adopted by the state board of health and every regulation of a county, district or city board of health approved by the state board of health, showing the date that any such regulations take effect, must be filed with the secretary of state, and copies of such regulations must be published immediately after adoption and issued in pamphlet form for distribution to local health officers and the citizens of the state.

Sec. 3. NRS 439.410 is hereby amended to read as follows:

439.410 1. The district board of health has the powers, duties and authority of a county board of health in the health district.

2. The district health department has jurisdiction over all public health matters in the health district.

3. In addition to any other powers, duties and authority conferred on a district board of health by this section, the district board of health may by affirmative vote of a majority of all the members of the board adopt regulations consistent with law , which shall take effect immediately on their approval by the state board of health , to:

(a) Prevent and control nuisances;

(b) Regulate sanitation and sanitary practices in the interests of the public health;

(c) Provide for the sanitary protection of water [,] *and* food supplies *;* [and sewage disposal;] and

(d) Protect and promote the public health generally in the geographical area subject to the jurisdiction of the health district.

4. Before the adoption, amendment or repeal of a regulation, the district board of health shall give at least 30 days' notice of its intended action. The notice must:

(a) Include a statement of either the terms or substance of the proposal or a description of the subjects and issues involved, and of the time when, the place where, and the manner in which, interested persons may present their views thereon.

(b) State each address at which the text of the proposal may be inspected and copied.

(c) Be mailed to all persons who have requested in writing that they be placed upon a mailing list, which must be kept by the district board for such purpose.

5. All interested persons must be afforded a reasonable opportunity

to submit data, views or arguments, orally or in writing, on the intended action to adopt, amend or repeal the regulation. With respect to substantive regulations, the district board shall set a time and place for an oral public hearing, but if no one appears who will be directly affected by the proposal and requests an oral hearing, the district board may proceed immediately to act upon any written submissions. The district board shall consider fully all written and oral submissions respecting the proposal.

6. Each district board of health shall file a copy of all of its adopted regulations with the county clerk of each county in which it has jurisdiction.''.

Amend the title of the bill to read as follows:

''An Act relating to the disposal of sewage; requiring the state board of health to adopt regulations; authorizing district boards of health to adopt regulations; and providing other matters porperly relating thereto.''.

Amend the summary of the bill to read as follows: ''Specifies scope of state and local control over disposal of sewage.''.

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 251.

Bill read second time.

The following amendment was proposed by Assemblyman Banner:

Amendment No. 231.

Amend section 1, page 1, by deleting lines 1 through 19 and inserting:

''Section 1. Chapter 616 of NRS is hereby amended by adding thereto a new section which shall read as follows:

The administrator shall withdraw his approval of an employer's providing accident benefits for his employees and require the employer to pay the premium collected pursuant to NRS 616.410 if the employer intentionally or repeatedly:

1. Determines incorrectly that a claimed injury did not arise out of and in the course of the employee's employment;

2. Fails to advise an injured employee of his rights under this chapter;

3. Impedes the determination of disability or benefits by delaying a needed change of an injured employee's physician;

4. Causes an injured employee to file a legal action to recover any compensation or other medical benefits due him from him from the employer;

5. Violates any of his or the department's regulations regarding the provision of accident benefits by employers; or

6. Discriminates against an employee who claims benefits under this chapter.''.

Amend sec. 2, page 1, by deleting lines 1 through 16 and inserting:

''Sec. 2. NRS 616.415 is hereby amended to read as follows:

616.415 1. [Every] *Except as otherwise provided in section 1 of this act, every* employer operating under this chapter, alone or together with other employers, may make arrangements for the purpose of providing accident benefits as defined in this chapter for injured employees.

2. Employers electing to make such arrangements for providing accident benefits shall notify the commission of such election and render a detailed statement of the arrangements made, which arrangements shall not become effective until approved by the commission.

3. Every employer who maintains a hospital of any kind for his employees, or who contracts with a physician for the hospital care of injured employees, shall, on or before January 30 of each year, make a written report to the commission for the preceding year, which report shall contain a statement showing:

(a) Total amount of hospital fees collected, showing separately the amount contributed by the employees and the amount contributed by the employers; and

(b) An itemized account of the expenditures, investments or other disposition of such fees; and

(c) What balance, if any, remains.

Such reports shall be verified by the employer, if an individual; by a member, if a partnership; by the secretary, president, general manager or other executive officer, if a corporation; by the physician, if contracted to a physician.

4. No employee is required to accept the services of a physician provided by his employer, but may seek professional medical services of his choice as provided in NRS 616.342. Expenses arising from such medical services shall be paid by the employer who has elected to provide benefits, pursuant to the provisions of this section, for his injured employees.

5. Every employer who fails to notify the commission of such election and arrangements, or who fails to render the financial report required, shall be liable for accident benefits as provided by NRS 616.410.''.

Amend the bill as a whole by deleting sections 3 through 5.

Amend the title of the bill, first line, by deleting ''repealing'' and inserting: ''removing under certain circumstances''.

Amend the summary of the bill by deleting ''Repeals'' and inserting ''Limits''.

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 253.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 221.

Amend sec. 4, page 3, line 24, by deleting "*reserve.*" and inserting "*reserve for claims.*

(3) Provide for contingencies such as a catastrophe, economic change, change in judicial interpretations of the law, legislative amendments of the law, deficiencies in the reserve and other events which cannot be predicted accurately and could endanger the solvency of the fund.".

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 257.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 218.

Amend section 1, page 1, line 2, by deleting "[1. If a parent" and inserting:

"1. If a [parent".

Amend section 1, page 1, line 3, after "child," by inserting: "] *minor child is in the custody of one parent or a guardian as a result of the death of one or both parents or a divorce between the parents,*".

Amend section 1, page 1, line 4, after "to the" by inserting an open bracket.

Amend section 1, page 1, line 6, after "child" by inserting "] *:*

(a) Great-grandparents;

(b) Grandparents; and

(c) Brothers and sisters,

of the child, on the side of the deceased or other parent,".

Amend section 1, page 1, line 18, before "3." by inserting an open bracket.

Amend section 1, page 2, line 2, by deleting "*If a*".

Amend section 1, page 2, by deleting lines 3 through 9.

Assemblyman Ham moved the adoption of the amendment.

Remarks by Assemblyman Ham.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 278.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 238.

Amend section 1, page 2, by deleting lines 7 and 8 and inserting: "and must continue on a monthly basis for 5 years or *:* [until the 65th birthday of the claimant,]

(a) On or after July 1, 1983, and before July 1, 1984, until the claimant is 66 years of age;

(b) On or after July 1, 1984, and before July 1, 1985, until the claimant is 67 years of age;

(c) On or after July 1, 1985, and before July 1, 1986, until the claimant is 68 years of age;

(d) On or after July 1, 1986, and before July 1, 1987, until the claimant is 69 years of age; or

(e) On or after July 1, 1986, until the claimant is 70 years of age, whichever is later.''.

Amend the bill as a whole by deleting section 6.

Amend the title of the bill, first line, by deleting ''removing'' and inserting ''extending gradually''.

Amend the summary of the bill by deleting ''Removes'' and inserting ''Extends''.

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 44.

Bill read second time and ordered to third reading.

Senate Bill No. 119.

Bill read second time and ordered to third reading.

Senate Bill No. 160.

Bill read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which was referred Assembly Bill No. 167, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Joint Resolution No. 8, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 103.

The following Senate amendment was read:

Amendment No. 159.

Amend the bill as a whole, by deleting section 1 and renumbering sections 2 and 3 as sections 1 and 2.

Amend the title of the bill to read as follows:

''An Act relating to banks; repealing the provision limiting the rate of interest on small loans; and providing other matters properly relating thereto.''.

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 103.

Remarks by Assemblyman Jeffrey.
Motion carried.
Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 274 be taken from Chief Clerk's desk and re-referred to the Committee on Commerce.

Remarks by Assemblyman Jeffrey.
Motion carried.

Mr. Speaker announced that if there were no objections, the Assembly would recess subject to the call of the Chair for the purpose of hearing an Irish ballad sung by Mr. William Marks.

Assembly in recess at 10:58 a.m.

ASSEMBLY IN SESSION

At 11 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 19.

Assemblyman Dini moved the adoption of the resolution.

Remarks by Assemblymen Dini and Joerg.

Assemblyman Brady requested that the following remarks be entered in the Journal:

ASSEMBLYMAN DINI:

Mr. Speaker. Harold, of course, has been a dear friend of mine for a good number of years. I guess because of my length of service, I probably knew him better than most people here in this room, including Paul May and Mr. Getto. He is truly a distinguished Nevadan. The distinguished service he contributed to these halls in the prayers he offered every morning will never be forgotten by many of us. When I was Speaker of the House, he gave me a lot of personal guidance in the morning prayer. I know that he is going to have a well deserved retirement and one in which all of us can wish him a nice retirement. He is going to Oregon, we hate to see that, but members of his family are living there so he is going there. I think we should all wish him a very fine retirement and thank him for the many years of service he contributed to this house.

ASSEMBLYMAN JOERG:

It gives me a great deal of pleasure today to say a few words about Reverend Van Zee and his lovely wife, Gerry. They have been involved in the community of Carson City now for some twenty years. He has been a pastor not only to his church, but to the community as a whole. There have been many occasions when people from throughout the community, and even transients moving through the community, have needed assistance, and Reverend Van Zee and his wife have always been there. There have been times when those individuals have had to rake leaves to get the assistance they needed as Reverend Van Zee is a very great believer in the work ethic. He probably comes as close as any human being could to following in the footsteps of our Lord. He has been a great family man. He has a lovely wife, Gerry, and three fine children and two granddaughters, I understand. He has been married 41 years, and I understand that they were married in 1942 after a five year courtship. I understand it took him that long to convince her. I won't tell who said that. Nevada has certainly been richer

as a result of Reverend Van Zee's 35 years in the state. It is a great loss to the state, but it is Oregon's gain. It has been my personal privilege for a number of years to know him and I wish him well.

Resolution adopted unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 107, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 366—An Act relating to the City of Sparks; amending the charter of the City of Sparks to clarify the procedures of the civil service commission and make various other administrative changes; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 134.

Bill read third time.

Remarks by Assemblymen Jeffrey and Stewart.

Assemblyman Jeffrey moved that Assembly Bill No. 134 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assembly Bill No. 221.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 221:

YEAS—42.

NAYS—None.

Assembly Bill No. 221 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 258 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Dini.

Motion carried.

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

Assembly in recess at 11:14 a.m.

ASSEMBLY IN SESSION

At 11:22 a.m.
Mr. Speaker presiding.
Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation:

Assembly Bill No. 367—An Act relating to public transportation; exempting buses used for certain public transportation from fuel and privilege taxes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 368—An Act relating to the use of land; prohibiting certain discrimination against manufactured homes; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 28.

The following Senate amendment was read:

Amendment No. 180.

Amend section 1, page 1, line 3, by deleting "[five] *three*" and inserting "five".

Amend section 1, page 1, by deleting line 6 and inserting:

"*(a) Three members who are representatives of the general public and have a demonstrated interest in or knowledge of the principles of public personnel administration.*".

Amend section 1, page 1, by deleting lines 11 through 14.

Amend the bill as a whole, by deleting sections 2 through 5.

Amend the title of the bill, first and second lines, by deleting "changing the number of members;".

Assemblyman Dini moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 28.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered transmitted to the Senate.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 39, 57, 84.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Alice Banner and Ms. Susan Banner.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sharon Cathey.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Peggy Lear Bowen.

On request of Assemblyman Chaney, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Bob Bailey and James Chaney.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Reverend Harold Van Zee, Mrs. Gerry Van Zee, and Mr. Curtis Baker.

On request of Assemblyman Fay, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Wallace.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Vern Manke.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Alan Ricciardo.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Fred Beeman.

On request of Assemblyman Perry, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Mary Foote.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Brenda Bland.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Bernie Anderson.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lorraine Marie Bayard-de-Volo.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Paul Albright and Dan Goldfarb.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jack Neal, Ms. Cathy Retterer and students from Reno High School, Reno, Nevada: Steve Ball, Greg Turner, Tom Drews, Tracy Mimno, David Curry, Denise Irniger, Cheryl Turville, Tanya Peacock, Sloan Simon, Susan Lewis, Jeanette Leonidou, Leslie Harrington, Kevin Freeman, Malia Bell, Heather Howard, Alison Harvey, Pat Reinkmeyer, Eric Maddoff,

Adrian Fletcher, Rob Roth, Jenny Hubach, Tim Davis, Debbie Burr, Alfredo Alonso, Rick Norton, Nicole Neeser, Ross Gilleland, Paul Miltenberger, Erich Flynn, Allison Fahrenkopf, Karen DeLong, Alicia Fillippini, Ardlie Wilson, Margaret Winkel, Matt Addison, Grant Hughes, Rob Folden, Lisa Lambert, Deanna Evans, Pat Young, Dawn Hill, Ken Schmitt, Gary Koepnick and Mark Frensdorff.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, March 21, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:25 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-FOURTH DAY

CARSON CITY (Monday), March 21, 1983

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Berkley and Perry, who were excused.

Prayer by the Chaplain, The Reverend Sidney E. Jackson.

Almighty God, we come to thee with thanksgiving for the many blessings which we have in this great land. We pray that thou wilt bless those more unfortunate than we. Be with those who have suffered economic deprivation during the recent months and years. We pray that thou wilt be with our elected representatives as they are here assembled. Give them wisdom as they seek answers to some of the perplexing problems that they face. Bless their families and their personal lives.

All this we ask in thy Holy Name.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 184, 336, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 275, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Judiciary.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 282; Senate Bill No. 38, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 17, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 183, 219.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 128, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 215.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 177, 191.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 69.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Bogaert, Banner, Malone, Bergevin, Fay, Jeffrey, Craddock, Kerns, Joerg, Francis, Zimmer, Swain, Collins, Brady, Thomas, Kovacs, Schofield, Beyer, Nicholas, Chaney, DuBois, Sedway, Dini, Thompson, Redelsperger, Bilyeu, Perry, Marvel, Bremner, Nevin, Stone, May, Getto, Ham, Stewart and Vergiels:

Assembly Joint Resolution No. 18—Calling upon Congress to adopt a national strategy of peace through strength.

Assemblyman Bogaert moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Zimmer, Schofield, Collins, Swain, Brady, Coffin, Thomas, Kovacs, Beyer, Nicholas, Chaney, DuBois, Sedway, Dini, Thompson, Redelsperger, Humke, Berkley, Bilyeu, Sader, Perry, Price, Bremner, Nevin, Marvel, Stone, Fay, Bogaert, May, Stewart, Getto, Ham, Vergiels, Banner, Craddock, Kerns, Joerg, Francis, Malone, Bergevin, Jeffrey and Bourne:

Assembly Concurrent Resolution No. 19—Commending the Girl Scouts of the United States of America on Girl Scout Week which was March 6 through March 12, 1983.

WHEREAS, For over 70 years since its establishment in 1912, in Savannah, Georgia, the Girl Scouts of the United States of America has provided opportunities for girls to develop skills in outdoor activities and acquire an appreciation and concern for our natural environment; and

WHEREAS, The Girl Scout organization is proud to have had over 3 million young ladies, from 6 to 17 years of age, participate in an organization which attempts to enhance the physical and mental well-being of its members in their youth and throughout their lives; and

WHEREAS, These activities and programs are offered to the girls of the State of Nevada through the services of the Sierra Nevada Council in northern Nevada and the Frontier Council in southern Nevada; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the members of the 62nd session of the legislature of the State of Nevada hereby commend Nevada's individual troop leaders whose dedication and leadership have helped to promote the organization of Girl Scouts within Nevada; and be it further

Resolved, That members of the legislature hereby commend the representatives of the Sierra Nevada Council and the Frontier Council of the Girl Scouts of the United States of America who worked tirelessly to make Girl Scouts Week, March 6 through March 12, 1983, the success that it was; and be it further

Resolved, That copies of this resolution be transmitted by the legislative counsel to the Sierra Nevada Council and the Frontier Council of the Girl Scouts of the United States of America.

Assemblyman Zimmer moved the adoption of the resolution.

Remarks by Assemblyman Zimmer.

Assemblyman Kovacs requested that Assemblyman Zimmer's remarks be entered in the Journal:

Girl Scouts serve two primary functions, one that is readily apparent and one that is almost as vital but less likely to be recognized.

The first and most important is their service to young women. The scouting organization does a marvelous job of preparing young girls for their future, be it in homemaking, the arts or aviation. All of these avenues and many more are provided along with an awareness of the out-of-doors.

The second is the training that the Girl Scout organization gives women volunteers. It teaches them not only how to work with the young girls but also how to work within their community. Those volunteers deserve recognition also, because without them there wouldn't be a scouting organization.

This state, nation and world would be a sadder place without Girl Scouting. So I urge the adoption of the resolution and the purchasing of Girl Scout Cookies.

Resolution adopted unanimously.

By Assemblymen Nevin, Schofield, Kovacs, Zimmer, Swain, Thomas, Getto, Ham, Bourne, Banner, Stone, Fay, Bogaert, Jeffrey, May, Stewart, Nicholas, Joerg, Francis, Bilyeu, Kerns, Craddock, Berkley, Thompson, Humke, Sader, Collins, Price, Bergevin, Malone, Perry, Marvel, Bremner, Chaney, DuBois, Sedway, Brady, Beyer, Coffin, Dini, Redelsperger and Vergiels:

Assembly Concurrent Resolution No. 20—Designating March 24, 1983, as Day To Be Aware of the Deaf.

WHEREAS, There are 14 million persons in the United States whose hearing is impaired; and

WHEREAS, This physical handicap is unique in that it is not a "visible" handicap; and

WHEREAS, The people of the State of Nevada need to be aware of the obstacles which confront the deaf on a daily basis; and

WHEREAS, Deaf citizens of Nevada are eager to share their accomplishments with the general public; and

WHEREAS, Concerned persons throughout Nevada have joined together in an effort to focus public attention on the implications of deafness; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That March 24, 1983, is hereby designated as the Day To Be Aware of the Deaf; and be it further

Resolved, That all citizens of Nevada be encouraged to recognize and appreciate the progress made by fellow Nevadans who are deaf.

Assemblyman Nevin moved the adoption of the resolution.

Remarks by Assemblyman Nevin.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 369—An Act relating to the department of transportation; removing the requirement that the director of the department be a registered professional engineer; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 370—An Act relating to the Colorado River

commission; removing the commission's authority to approve the designation of a deputy attorney general to serve the commission; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 371—An Act relating to taxation; imposing an excise tax on "video games" and providing its rate and for its collection and enforcement; increasing the rate of the tax respectively on intoxicating liquor, cigarettes and insurance premiums; providing for the submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to remove the exemption of soft drinks and candy from that tax and contingently removing a similar exemption from certain analogous taxes; increasing fees for filing certain corporate documents; removing prohibitions against charging fees for certain other corporate filings; requiring nonprofit corporations to file annual lists of their officers, directors and resident agent; authorizing the collection of fees for the filing of those lists; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 177.

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

Motion carried.

Senate Bill No. 191.

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

Motion carried.

Senate Bill No. 215.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 50.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 105.

Amend section 1, page 1, line 6, after "*who is*", by inserting "*twice*".

Amend section 1, page 1, line 8, by deleting "*licensed pursuant to chapter 483 of NRS.*" and inserting: "*approved by the department of motor vehicles for retraining such drivers.*".

Amend section 1, page 1, line 9, after "*choose*", by inserting: "*from those so approved*".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 85.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 215.

Amend the bill as a whole by renumbering sections 1 through 3 as sections 2 through 4 and inserting a new section designated section 1, preceding section 1, to read as follows:

"Section 1. Chapter 635 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. Except as otherwise provided in subsection 2, a podiatrist licensed by the board may:

(a) Administer electricity to the foot or leg by means including electrodes, machinery and rays.

(b) Use his hands and machinery to work upon the foot or leg and its articulations.

(c) Apply any mechanical appliance to the foot or leg or in the shoe to treat any disease, deformity or ailment.

(d) Apply pads, adhesives, felt, plasters and any medicine to the foot and leg.

(e) Prescribe and dispense controlled substances and dangerous drugs.

(f) Construct models of the feet.

(g) Administer a local anesthetic and, if in a hospital or surgical center for ambulatory patients, a general anesthetic.

(h) Use any cutting instrument to treat a disease, ailment or condition.

2. A podiatrist shall not:

(a) Treat a systemic disease which does not originate in the foot.

(b) Amputate a leg, foot or toe.".

Amend section 1, pages 1 and 2, by deleting lines 4 through 19 on page 1 and lines 1 through 11 on page 2 and inserting:

"2. "Podiatry" [(sometimes called chiropody)] is the diagnosis , *prevention* and [the medical, surgical, mechanical, manipulative and electrical] treatment of [all] ailments of the human foot and leg . [not in connection with the practice of another licensed profession, excepting amputation of the foot or leg or the administration of an anesthetic other than local. The following is an explanation of the terms defining podiatry:

(a) "Diagnosis" means to ascertain a disease or ailment by its general symptoms.

(b) "Electrical treatment" means the administration of electricity to the foot or leg by means of electrodes, machinery, rays and the like.

(c) "Manipulative treatment" means the use of the hand or machinery in the operation or working upon the foot or leg and its articulations.

(d) "Mechanical treatment" means application of any mechanical appliance made of steel, leather, felt or any material to the foot or leg or in the shoe for the purpose of treating any disease, deformity or ailment.

(e) "Medical treatment" means the application to or prescription for the foot or leg of medicines, pads, adhesives, felt, plasters or any medicinal agency.

(f) "Surgical treatment" means the use of any cutting instrument to treat a disease, ailment or condition.]

3. "Podiatry hygienist" means a person engaged in assisting a podiatrist in the treatment of the human foot through the reduction of [excrescencies] *excrescences* of the foot, including [without limitation] corns and calluses, and the cutting of the nails of the foot.".

Amend sec. 3, page 2, line 33, by deleting "*1 year of*".

Amend sec. 3, page 2, line 34, by deleting "*1500*" and inserting "*200*".

Amend sec. 3, page 2, by deleting line 44 and inserting: "*cant's credentials are fraudulent or*".

Amend sec. 4, page 3, by deleting lines 1 through 13 and inserting:

"Sec. 5. NRS 635.130 is hereby amended to read as follows:

635.130 The board may revoke any certificate it has issued for any of the following causes:

1. The willful betrayal of a professional secret.

2. The making of a false statement in any affidavit required of the applicant for application, examination and registration under this chapter.

3. Lending the use of the holder's name to an unregistered person.

4. If the holder is a podiatrist, his permitting an unlicensed person in his employ to practice as a podiatry hygienist.

5. Habitual indulgence in the use of *alcohol or* any controlled substance as defined in chapter 453 of NRS which impairs the intellect and judgment to such an extent as in the opinion of the board will incapacitate the holder in the performance of his professional duties.

6. Conviction of a crime involving moral turpitude.

7. Conduct which in the opinion of the board disqualifies him to practice with safety to the public.

8. [Repeated malpractice, which may be evidenced by claims of malpractice settled against the practitioner.] *Contraction of a communicable disease.*

9. The commission of fraud by or on behalf of the licensee regarding his license or practice.

10. Gross incompetency.

11. Affliction of the licensee with any mental or physical disorder

which seriously impairs his competence as a podiatrist or podiatry hygienist.

12. False representation by or on behalf of the licensee regarding his practice.

13. Unethical or unprofessional conduct.

14. Willful and repeated violations of this chapter or regulations adopted by the board.''.

Amend the bill as a whole by deleting section 5.

Amend the title of the bill, second line, by deleting ''administrative penalties;'' and inserting: ''causes for disciplinary action; clarifying and expanding the authorized actions of a podiatrist;''.

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 167.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 253.

Amend sec. 8, page 4, line 36, after ''substance'' by inserting: '', *or is under the combined influence of intoxicating liquor and a controlled substance,*''.

Amend sec. 8, page 4, by deleting lines 38 and 39 and inserting: ''vent, or any compound or combination of any [chemical, poison or organic solvent,] *of these,* to a degree which renders him incapable of safely''.

Amend sec. 12, page 9, line 33, after ''solvent'' by inserting: '', *or any compound or combination of any of these,*''.

Amend sec. 12, page 9, line 34, by deleting ''steering'' and inserting: ''[steering] *exercising actual physical control of*''.

Amend sec. 13, page 10, by deleting lines 12 through 17 and inserting: ''*ing or in actual physical control of a vehicle while he had 0.10 percent or more by weight of alcohol in his blood, the amount of alcohol shown by a chemical analysis of his blood, urine, breath or other bodily substance is presumed to be no less than the amount present at the time of the alleged violation.*''.

Amend sec. 13, page 10, line 21, after ''*driving*'' by inserting: ''*or in actual physical control of a vehicle while*''.

Amend sec. 13, page 10, line 38, by deleting the open bracket before ''subsection 1'' and inserting an open bracket before ''1''.

Amend sec. 13, page 10, line 39, by deleting ''*subsections 1 and*''.

Amend sec. 13, page 10, by deleting lines 41 through 43 and inserting: ''defendant was under the influence of intoxicating liquor.''.

Amend sec. 14, page 11, by deleting line 11 and inserting: ''liquor or a controlled substance . [and:''.

Amend sec. 14, page 11, line 16, by inserting a closed bracket after ''arrested.''.

Amend sec. 14, page 11, line 17, by deleting "arrested" and inserting: "[arrested] *to be tested*".

Amend sec. 14, page 11, by deleting line 19, and inserting: "privilege to drive a vehicle.".

Amend sec. 14, page 11, by deleting line 25 and inserting "cle.".

Amend sec. 14, page 11, line 31, by deleting "*arrested*" and inserting "*to be tested*".

Amend sec. 14, page 12, by deleting line 4 and inserting:

"[6.] *7.* If a person [under arrest refuses] *to be tested fails* to submit to a".

Amend sec. 14, page 12, by deleting lines 11 through 15 and inserting: "the officer's request.] *none may be given, except that if the officer has reasonable cause to believe that the person to be tested was driving or in actual physical control of a motor vehicle while under the influence of intoxicating liquor or a controlled substance and thereby caused death or substantial bodily harm to another, the officer*".

Amend sec. 14, page 12, line 17, by deleting "*that person.*" and inserting: "*the person to be tested.*".

Amend sec. 16, page 14, lines 27 and 28, by deleting "*or the period of ineligibility.*" and inserting: ", *but he is only entitled to one hearing.*".

Amend sec. 20, page 17, by deleting lines 14 and 15 and inserting: "under the influence of any controlled substance, [or driving a vehicle while] under the *combined* influence of [any other drug] *intoxicating liquor and a controlled substance, or after ingesting, applying or otherwise using any chemical, poison or organic solvent, or any compound or combination of any of these,* to a".

Amend sec. 20, page 17, line 16, after "driving" by inserting: "*or exercising actual physical control of*".

Amend the bill as a whole by renumbering section 26 as section 27 and inserting a new section designated section 26, following section 25, to read as follows:

"Sec. 26. NRS 50.315 is hereby amended to read as follows:

50.315 *1.* Whenever any person has qualified in the district court of any county as an expert witness for the purpose of testifying regarding the presence in the blood or urine of a person of alcohol [or] , a controlled substance [the] *whose* use or possession [of which] is regulated by chapter 453 of NRS, *or a chemical, poison or organic solvent,* or the identity of a controlled substance alleged to have been in the possession of a person, [the affidavit of such person] *the expert's affidavit* is admissible in evidence in a criminal trial in the district court in any county in the district or a preliminary examination or trial in any justice's or municipal court in any county in the district [for the purpose of proving] *to prove the identity of* the person from whom the affiant received the blood or urine or purported controlled substance for analysis and the presence or absence of alcohol or *a* controlled substance, *chemical, poison or organic solvent,* as the case may be.

2. Whenever a person withdraws a sample of blood from another for the purpose of analysis by an expert as mentioned in subsection 1,

the affidavit of the person who withdraws the sample is admissible in any court in any criminal proceeding to prove the occupation of the affiant, the identity of the person from whom the affiant withdrew the sample, the fact that the affiant kept the sample in his sole custody or control and in substantially the same condition as when he first obtained it until delivering it to another and the person to whom the affiant delivered it.

3. Whenever a person receives from another a sample of blood or urine or other tangible evidence that is alleged to contain alcohol or a controlled substance, chemical, poison or organic solvent, the affidavit of the person who receives the sample or other evidence may be admitted in any court in any criminal proceeding to prove the occupation of the affiant, the facts that the affiant received a sample or other evidence from another person and kept it in his sole custody or control in substantially the same condition as when he first received it until delivering it to another, and the identity of the person to whom the affiant delivered it.''.

Amend sec. 26, page 21, line 31, after ''*substance*'' by inserting: ''*as defined in chapter 453 of NRS, or a chemical, poison or organic solvent,*''.

Amend sec. 26, page 21, line 32, by inserting an open bracket before ''as''.

Amend sec. 26, page 21, line 33, after ''NRS,'' by inserting: ''] , *chemical, poison or organic solvent,*''.

Amend sec. 26, page 21, by deleting line 34 and inserting: ''request that the affidavit of [a person qualified as provided] *an expert or other person described* in NRS''.

Amend sec. 26, page 21, by deleting line 37 and inserting:

''2. The request must be made at least 10 days''.

Amend sec. 26, page 21, lines 38 and 39, by deleting ''[shall] *must*'' and inserting ''must''.

Amend sec. 26, page 21, line 44, after ''*expert*'' and inserting ''*or other person*''.

Amend sec. 26, page 22, line 1, by deleting ''[shall] *must*'' and inserting ''must''.

Amend sec. 26, page 22, line 2, by deleting ''*an expert*'' and inserting: ''*the expert or other person*''.

Amend sec. 26, page 22, line 5, after ''expert'' by inserting ''*or other person*''.

Amend sec. 26, page 22, line 6, after ''expert'' by inserting ''*or other person*''.

Amend sec. 26, page 22, line 7, by deleting ''[district court]'' and inserting ''[district]''.

Amend the bill as a whole by renumbering sections 27 through 29 as sections 33 through 35 and inserting new sections designated sections 28 through 32, following section 26, to read as follows:

''Sec. 28. NRS 50.335 is hereby amended to read as follows:

50.335 The affidavit *of an expert* referred to in *subsection 1 of* NRS 50.315 and *in NRS* 50.325 [shall] *must* be substantially in one of the following forms:

1. If the sample contained a controlled substance as defined in chapter 453 of NRS [:] *or a chemical, poison or organic solvent:*

STATE OF NEVADA
} ss.
COUNTY OF.....

....., being first duly sworn, deposes and says: That I am ..... (occupation); that on ..... (date) I qualified before a district judge [of the district court] of this district as a witness qualified to detect the presence and identity in the blood or urine of a person of a controlled substance the use or possession of which is regulated by chapter 453 of NRS [,] *or a chemical, poison or organic solvent,* or the identity of a controlled substance alleged to have been in the possession of a person; that on ..... (date) I obtained certain evidence from ..... bearing Identification No. ..... and consisting of ..... for the purpose of performing a chemical analysis upon the contents thereof; that on .... (date) I analyzed [such] *the* substance or sample and determined it to be or contain ..... (substance); and that on ..... (date) I replaced the contents in the [above-mentioned evidence] container, sealed [that evidence] *the* container with [an evidence seal(s)] *a seal* bearing my initials .....*;* [and returned such evidence to .....;] that [such] *the* evidence was in my sole [care and custody from the time it was obtained by me until it was returned to ..... and was] *custody or control and remained* in substantially the same condition as when it was first obtained by me [.] *until on ..... (date) I returned the evidence to ..... (name) or that I still have the evidence in my possession.*

.....
Affiant

.....
Title

Subscribed and sworn to before me

this ..... day of ....., 19.....

.....
Notary Public

2. If the sample contained alcohol:

STATE OF NEVADA
} ss.
COUNTY OF.....

....., being first duly sworn, deposes and says: That I am ..... (occupation); that on .....

..... (date) I qualified before a district judge [of the district court] of this district as a witness qualified to detect the presence of alcohol in the blood or urine of a person; that on ..... (date) I received a *sample of* blood or urine [sample] *bearing Identification No.* ..... from .... (name); that on ..... (date) I analyzed [such] *the* sample and determined that the blood or urine of the person from whom the sample was taken contained ..... (percent) by weight of alcohol; that *the sample was in my sole custody or control and remained in substantially the same condition as when it was first obtained by me until* on ..... (date) I returned [such] *the* sample to ..... (name) or that I still have [such] *the* sample in my possession.

.....
Affiant

.....
Title

Subscribed and sworn to before me

this ..... day of ....., 19.....

.....
Notary Public

Sec. 29. Chapter 50 of NRS is hereby amended by adding thereto the provisions set forth as sections 30 and 31 of this act.

Sec. 30. *The affidavit which is referred to in subsection 2 of NRS 50.315 and in NRS 50.325 must be substantially in the following form:*

State of Nevada
} *ss.*
County of.....

....., *being first duly sworn, deposes and says: That I am ..... (occupation); that on ..... (date) I withdrew a sample of blood from a person known to me as ..... (name) and affixed to the sample a seal or tag bearing Identification No. .....; that the sample was in my sole custody or control and remained in substantially the*

same condition as when it was first obtained by me until on ..... (date) I delivered the sample to ..... (name).

.....
Affiant

.....
Title

Subscribed and sworn to before me

this ..... day of ....., 19.....

.....
Notary Public

Sec. 31. *The affidavit which is referred to in subsection 3 of NRS 50.315 and in NRS 50.325 must be substantially in the following form:*

State of Nevada
} *ss.*
County of.....

....., being first duly sworn, deposes and says: That I am ..... (occupation); that on .... (date) I received certain evidence bearing Identification No. ..... from ..... (name); that the evidence was in my sole custody or control and remained in substantially the same condition as when it was first obtained by me until on ..... (date) I delivered the evidence to ..... (name).

.....
Affiant

.....
Title

Subscribed and sworn to before me

this ..... day of ....., 19.....

.....
Notary Public

Sec. 32. NRS 179.245 is hereby amended to read as follows:

179.245 1. A person who has been convicted of [any] *:*

(a) Any felony may, after 15 years from the date of his conviction or, if he is imprisoned, from the date of his release from actual custody [, a person who has been convicted of a] *;*

(b) Any gross misdemeanor may, after 10 years from the date of his conviction or release from custody [, and a person who has been convicted of a] *;*

(c) A violation of NRS 484.379 other than a felony may, after 7 years from the date of his conviction or release from custody; or

(d) Any other misdemeanor may, after 5 years from the date of his conviction or release from custody,

petition the court in which the conviction was obtained for the sealing of all records relating to [such] *the* conviction.

2. The court shall notify the district attorney of the county in which the conviction was obtained, and the district attorney and any person having relevant evidence may testify and present evidence at the hearing on the petition.

3. If after hearing the court finds that, in the [15 years preceding the filing of the petition if the conviction was for a felony, in the 10 years preceding the filing of the petition if the conviction was for a gross misdemeanor, or in the 5 years preceding the filing of the petition, if the conviction was for a misdemeanor,] *period prescribed in subsection 1,* the petitioner has not been arrested, except for minor moving or standing traffic violations, the court may order sealed all records of [such] *the* conviction which are in the custody of the court, of another court in the State of Nevada or of a public or private agency, company or official in the State of Nevada, and may also order all such criminal identification records of the petitioner returned to the file of the court where the proceeding was commenced from, but not limited to, the Federal Bureau of Investigation, the California identification and investigation bureau, sheriffs' offices and all other law enforcement agencies reasonably known by either the petitioner or the court to have possession of such records.''.

Amend sec. 27, page 22, lines 24 and 25, by deleting: ''*or a controlled substance,*''.

Amend sec. 28, page 22, line 41, by deleting ''*other chemical*'' and inserting: ''*while incapable of safely driving because of the use of any chemical, poison or organic solvent*''.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Transportation.

Assembly Bill No. 284.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 240.

Amend section 1, page 1, by deleting line 3 and inserting: ''a regular meeting at least once [each month,] *every two months,*''.

Amend section 1, page 1, line 4, by deleting ''*per year,*''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 107.
Bill read second time and ordered to third reading.

Senate Joint Resolution No. 8.
Resolution read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 164.
Bill read third time.
Remarks by Assemblymen Zimmer and Thomas.
Roll call on Assembly Bill No. 164:

YEAS—34.
NAYS—None.
Absent—Berkley, Perry—2.
Not voting—Bremner, Collins, Humke, Marvel, May, Price—6.

Assembly Bill No. 164 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 169.
Bill read third time.
Remarks by Assemblyman Craddock.
Roll call on Assembly Bill No. 169.

YEAS—40.
NAYS—None.
Absent—Berkley, Perry—2.

Assembly Bill No. 169 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 170.
Bill read third time.
Remarks by Assemblymen Craddock, Stewart and Bogaert.
Roll call on Assembly Bill No. 170:

YEAS—40.
NAYS—None.
Absent—Berkley, Perry—2.

Assembly Bill No. 170 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 171.
Bill read third time.
Remarks by Assemblyman Craddock.
Roll call on Assembly Bill No. 171:

YEAS—40.
NAYS—None.
Absent—Berkley, Perry—2.

Assembly Bill No. 171 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 206.
Bill read third time.
Remarks by Assemblyman Bilyeu.
Roll call on Assembly Bill No. 206:

YEAS—40.
NAYS—None.
Absent—Berkley, Perry—2.

Assembly Bill No. 206 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 215.
Bill read third time.
Remarks by Assemblymen Kovacs and Dini.
Roll call on Assembly Bill No. 215:

YEAS—40.
NAYS—None.
Absent—Berkley, Perry—2.

Assembly Bill No. 215 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 225.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Bill No. 225:

YEAS—40.
NAYS—None.
Absent—Berkley, Perry—2.

Assembly Bill No. 225 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 44.
Bill read third time.
Remarks by Assemblyman Bourne.
Roll call on Senate Bill No. 44:

YEAS—40.
NAYS—None.
Absent—Berkley, Perry—2.

Senate Bill No. 44 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 119.
Bill read third time.
Remarks by Assemblyman Nevin.

Roll call on Senate Bill No. 119:

YEAS—40.
NAYS—None.
Absent—Berkley, Perry—2.

Senate Bill No. 119 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 160.

Bill read third time.

Remarks by Assemblyman Collins.

Roll call on Senate Bill No. 160:

YEAS—39.
NAYS—None.
Absent—Berkley, Perry—2.
Not voting—Dini.

Senate Bill No. 160 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 258 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Dini.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 330, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 258.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 258.

Amend sec. 2, page 2, line 26, before "The" by inserting an open bracket.

Amend sec. 2, page 2, line 27, by deleting the bracket.

Amend sec. 2, page 2, by deleting lines 36 through 39 and inserting: "other methods found to be reliable.]".

Amend sec. 2, page 2, by deleting lines 42 and 43 and inserting: "*elected, if reliable evidence indicates that the population in any ward exceeds the population in any other ward by more than 5 percent. In any case, the board shall reconsider the boundaries of the wards upon the receipt of the necessary information from the preceding national*

decennial census conducted by the Bureau of the Census of the United States Department of Commerce.''.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 24, 25, 29, 103, 182; Senate Bill No. 69; Assembly Concurrent Resolution No. 8; Senate Concurrent Resolution No. 20.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lisa Williams.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Patsy Redmond.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Johnna Pennington.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Ewing.

On request of Assemblyman Francis, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Carol Clark.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Clark.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Mary Suzanne Nicholas.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Danielle Pearcy.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Kim Sedway.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Andrea Marie Ocosco.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pat Hines.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, March 22, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12 noon.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-FIFTH DAY

CARSON CITY (Tuesday), March 22, 1983

Assembly called to order at 11:05 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblyman Perry, who was excused.
Prayer by the Chaplain, The Reverend Sidney E. Jackson.

Our Heavenly Father, we come to thee with thanksgiving for thy many blessings. Although from time to time we hear a few dissident voices, we are still "One nation under God," and we still have, "liberty and justice for all." Help, I pray thee, this assembled body of dedicated men and women. Help them make the right decisions, decisions that will be pleasing unto thee and decisions that will be for the common good. Bless them and their families, their business pursuits and their times of fun. All this we ask in Jesus' name.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 158, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 125, 126, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 199, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 87, 287; Assembly Joint Resolution No. 16, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 255, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 93, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 17, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 153.

MAE LOFTHOUSE
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, March 21, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 214.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 21—Directing the legislative commission to conduct an interim study of the employment of lawyers in the executive department of state government who are independent of the attorney general.

Assemblyman Dini moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Banner:

Assembly Bill No. 372—An Act relating to unemployment compensation; making various changes in definitions; requiring employing unit to allow an employee's inspection of his own personnel file for certain information; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblyman Malone:

Assembly Bill No. 373—An Act relating to parole; providing in skeleton form for the abolition of parole and the state board of parole commissioners; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 374—An Act relating to insurance; establishing

requirements for binders and policies issued pursuant to binders; specifying the effect of a binder; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 375—An Act relating to insurance; increasing the fees charged by the commissioner of insurance for issuing certificates and licenses and performing other services; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 376—An Act relating to public utilities; requiring the public service commission of Nevada to hold hearings on proposed rates, tolls, fares and charges within the geographical area affected by the proposal; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 377—An Act relating to agreements between states; limiting the effect of plans and related measures adopted thereunder; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 378—An Act relating to meetings of public bodies; providing that actions taken in violation of statutory requirements for public meetings are void; authorizing the attorney general to enjoin violations of such requirements; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 379—An Act relating to public utilities; prohibiting the hiring of persons in certain positions for 1 year after termination of their employment with the public service commission; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Dini, Schofield, May and Thomas:

Assembly Bill No. 380—An Act relating to older persons; lowering the threshold of age for protection under statutes which prohibit abuse and neglect of older persons and require reporting of such abuse and neglect; providing penalties; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 153.

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

Motion carried.

Assemblyman Thompson moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:17 a.m.

ASSEMBLY IN SESSION

At 11:23 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 214.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 381—An Act relating to safety in motor vehicles; requiring an applicant for a driver's license to have completed a course in defensive driving; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Coffin, Ham, Bourne, Zimmer, Schofield, Dini, Jeffrey, Thompson, Malone, Sedway, Price, Perry, Nevin, Vergiels, Bogaert and Bergevin:

Assembly Bill No. 382—An Act relating to elections; changing the date of the primary election; changing certain other dates accordingly; and providing other matters properly relating thereto.

Assemblyman Coffin moved that the bill be referred to the Committee on Elections.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 7, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Joint Resolution No. 19—Requesting Congress and the appropriate federal agencies to extend the deadline for compliance by Nevada with certain requirements of the Clean Air Act.

Assemblyman Thompson moved that all rules be suspended, reading so far had considered first reading, rules further suspended, resolution considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Thompson.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 216.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 216:

YEAS—40.

NAYS—None.

Absent—Kovacs, Perry—2.

Assembly Bill No. 216 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 251.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 251:

YEAS—41.

NAYS—None.

Absent—Perry.

Assembly Bill No. 251 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assemblyman Nevin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:30 a.m.

ASSEMBLY IN SESSION

At 11:43 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Taxation:

Assembly Joint Resolution No. 20—Proposing to amend section 1 of article 10 of the constitution of the State of Nevada, relating to taxation, to allow a privilege tax on watercraft.

Resolved by the Assembly and the Senate of the State of Nevada, jointly, That section 1 of article 10 of the constitution of the State of Nevada be amended to read as follows:

Section 1. *1.* The legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal and possessory, except mines and mining claims, when not patented, the proceeds alone of which shall be assessed and taxed, and when patented, each patented mine shall be assessed at not less than five hundred dollars ($500), except when one hundred dollars ($100) in labor has been actually performed on such patented mine during the year, in addition to the tax upon the net proceeds . [; shares]

2. Shares of stock (except shares of stock in banking corporations), bonds, mortgages, notes, bank deposits, book accounts and credits, and securities and choses in action of like character are deemed to represent interest in property already assessed and taxed, either in Nevada or elsewhere, and shall be exempt.

3. The legislature may constitute agricultural and open-space real property having a greater value for another use than that for which it is being used, as a separate class for taxation purposes and may provide a separate uniform plan for appraisal and valuation of such property for assessment purposes. If such plan is provided, the legislature shall also provide for retroactive assessment for a period of not less than 7 years when agricultural and open-space real property is converted to a higher use conforming to the use for which other nearby property is used.

4. Personal property which is moving in interstate commerce through or over the territory of the State of Nevada, or which was consigned to a warehouse, public or private, within the State of Nevada from outside the State of Nevada for storage in transit to a final destination outside the State of Nevada, whether specified when transportation begins or afterward, shall be deemed to have acquired no situs in Nevada for purposes of taxation and shall be exempt from taxation. Such property shall not be deprived of such exemption because while in the warehouse the property is assembled, bound, joined, processed, disassembled, divided, cut, broken in bulk, relabeled or repackaged.

5. The legislature may exempt motor vehicles *and watercraft* from the provisions of the tax required by this section, and in lieu thereof, if such exemption is granted, shall provide for a uniform and equal rate of assessment and taxation of motor vehicles [,] *and watercraft, respectively,* which rate shall not exceed five cents on one dollar of assessed valuation.

6. The legislature shall provide by law for a progressive reduction in the tax upon business inventories by 20 percent in each year following the adoption of this provision, and after the expiration of the 4th year such inventories are exempt from taxation. The legislature may exempt any other personal property, including livestock.

7. No inheritance or estate tax shall ever be levied . [, and there shall also be excepted such property as may be exempted by law]

8. The legislature may exempt by law property used for municipal, educational, literary, scientific or other charitable purposes, or to encourage the conservation of energy or the substitution of other sources for fossil sources of energy.

Assemblyman May moved that the resolution be referred to the Committee on Taxation.

Motion carried.

Assemblyman Stewart moved that Assembly Bill No. 336 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stewart.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Legislative Functions:

Assembly Bill No. 383—An Act relating to group insurance; allowing legislators who have served for 8 years or more to retain membership in the state's program without retiring; and providing other matters properly relating thereto.

Assemblyman Kovacs moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblymen Francis, Banner, Jeffrey, Collins, Fay, Ham, Thomas, Zimmer and Thompson:

Assembly Bill No. 384—An Act relating to employment agencies; prohibiting any requirement of advance payment or order for payment if the fee is to be a percentage of the wages of the applicant for employment; and providing other matters properly relating thereto.

Assemblyman Francis moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 253.

Bill read third time.

Remarks by Assemblyman Collins.

Roll call on Assembly Bill No. 253:

YEAS—41.

NAYS—None.

Absent—Perry.

Assembly Bill No. 253 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 257.

Bill read third time.

Remarks by Assemblyman Ham.

Roll call on Assembly Bill No. 257:

YEAS—41.

NAYS—None.

Absent—Perry.

Assembly Bill No. 257 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 278.

Bill read third time.

Remarks by Assemblymen Banner, Bergevin, Jeffrey and Stone.
Roll call on Assembly Bill No. 278:

YEAS—41.
NAYS—None.
Absent—Perry.

Assembly Bill No. 278 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 107.
Bill read third time.
Remarks by Assemblymen Dini and Bourne.
Roll call on Senate Bill No. 107:

YEAS—41.
NAYS—None.
Absent—Perry.

Senate Bill No. 107 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 8.
Resolution read third time.
Remarks by Assemblymen Berkley, Dini and Stewart.
Roll call on Senate Joint Resolution No. 8:

YEAS—40.
NAYS—Dini.
Absent—Perry.

Senate Joint Resolution No. 8 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 19.
Resolution read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Joint Resolution No. 19:

YEAS—41.
NAYS—None.
Absent—Perry.

Assembly Joint Resolution No. 19 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:
Assembly Bill No. 385—An Act relating to the tax on slot machines; transferring the first $5 million of the tax to the University of Nevada System for its general operations; and providing other matters properly relating thereto.
Assemblyman Bremner moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 386—An Act relating to vocational rehabilitation; decreasing the amount in the vocational rehabilitation revolving fund; renaming the fund; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly in recess at 12:06 p.m.

ASSEMBLY IN SESSION

At 12:07 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 184.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 275.

Bill read second time.

The following amendment was proposed by Assemblyman Malone:

Amendment No. 248.

Amend the bill as a whole by deleting sections 1 through 6 and inserting:

"Section 1. Chapter 179 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *1. All personal property, including any tool, substance, weapon, machine, money or security, which is used as an instrumentality in the commission of or attempted commission of the crime of murder, sexual assault, robbery, kidnaping, burglary, grand larceny or pandering is subject to forfeiture.*

2. Except as otherwise provided for conveyances forfeitable pursuant to NRS 453.301, all conveyances, including aircraft, vehicles or vessels, which are used or intended for use during the commission of a felony are subject to forfeiture except that:

(a) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to the felony;

(b) No conveyance is subject to forfeiture under this section by reason of any act or omission established by the owner thereof to have been committed or omitted without his knowledge or consent; and

(c) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the felony. If a conveyance is forfeited

the appropriate law enforcement agency may pay off the existing balance and retain the conveyance for official use.

No person, other than the holder of a community property interest, whose name or interest does not appear on the certificate of registration or title for the conveyance is a proper party to any forfeiture proceeding pursuant to this subsection.

Sec. 3. *1. Property subject to forfeiture under the provisions of NRS 200.509 or section 2 of this act may be seized by a law enforcement agency upon process issued by any magistrate who has jurisdiction over the property.*

2. Seizure without process may be made if:

(a) The seizure is incident to an arrest; or

(b) The law enforcement agency has probable cause to believe that the property was used in a manner which would cause the property to be subject to forfeiture.

3. Property seized under this section is not subject to replevin, but is deemed to be in the custody of the agency subject only to orders of the court which has jurisdiction over the proceedings for forfeiture. An agency which has seized such property without process shall begin the proceedings for forfeiture promptly. Such an action takes precedence over other civil proceedings.

4. The agency may:

(a) Place the seized property under seal;

(b) Remove the seized property to a place designated for storage of such property; or

(c) Remove the seized property to an appropriate place for disposition if disposal is authorized by a specific statute.

5. When the court declares that property seized pursuant to NRS 200.509 or section 2 of this act is forfeited, the seizing agency may:

(a) Retain it for official use;

(b) Sell that which is not required to be destroyed by law; or

(c) Remove it for disposition.

6. The proceeds from the sale of any such property must be used for the payment of all proper expenses of the proceedings for forfeiture and sale, including the expenses of seizure, maintenance of custody, advertising and court costs. Any balance remaining must be paid to the state treasurer for deposit in the state treasury for credit to the fund for the compensation of victims of crimes.

Sec. 4. NRS 200.509 is hereby amended to read as follows:

200.509 *1.* A person who knowingly uses, promotes, entices or permits a minor to simulate or engage in or assist others to simulate or engage in any performance of sexual intercourse, lewd exhibition of the genitals, fellatio, cunnilingus, bestiality, anal intercourse, excretion, sado-masochistic abuse, masturbation, or penetration of any part of a person's body or of any object manipulated or inserted by a person into the genital or anal opening of the body of another for the purpose of producing a performance, film, photograph or any other representation, is guilty of a felony and shall be punished by imprisonment in the state prison for not less than 1 year nor more than 6 years, or by a fine of not more than $5,000, or by both fine and imprisonment.

2. Any tool, device or piece of equipment which is used in such a production is subject to forfeiture as set forth in section 2 of this act.''.

Amend the title of the bill by deleting the first line and inserting:

''An Act relating to criminal procedure; providing for the forfeiture of certain property used in certain crimes; and''.

Amend the summary of the bill to read as follows: ''Provides for forfeiture of certain property used in certain crimes. (BDR 16-557)''.

Assemblyman Malone moved the adoption of the amendment.

Remarks by Assemblyman Malone.

Amendment adopted.

Assemblyman Malone moved that Assembly Bill No. 275 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 282.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 268.

Amend sec. 5, page 2, line 36, after ''dispute'' by inserting: ''*which has a fiscal effect*''.

Amend sec. 5, page 2, line 40, by deleting '', *but* only'' and inserting ''. [only''.

Amend sec. 5, page 2, line 41, after ''feasible.'' by inserting a closed bracket.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 330.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 271.

Amend section 1, page 1, by deleting lines 11 through 13 and inserting: ''the [same] *water* to run to waste on sagebrush or greasewood land.

The irrigation of unimproved pasture which has a surface water right shall not be deemed to be a waste of water.''.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 38.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 267.

Amend section 1, page 1, line 15, after "*agency.*" by inserting: "*A monthly physical count is not required for the preparation of the list.*".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 183, 219; Senate Concurrent Resolution No. 19.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Gail Armstrong.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Arnie Adamsen.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Carl Nelson; Mrs. Spofford and fourth grade students from Fritsch Elementary School, Carson City, Nevada: Kenny Cleva, Kent Grisemer, David Gutzman, Brent Jeffries, Tammie Mayer, Stacy Corbett, Jamie Rutzky, July Malone, Shannon Failling, Jill Barrette, Casey Tuohy, Gary Blake, Kim Funke, JoAnne Licausi, Carolyn Mendoza, Rusty Harwell, Zach Thomas, Trevor Freeman, Mike Nicosia, Kevin Cuccaro, Dennis Dayton, Amber Copp, Autumn McGinnis, Tara Olavarria, Kasey Doescher, Carol Bongers, Stacey Breneman, Justin Sweetland, Bobbie Sue Dodd, Ted Farrell; Mrs. Mayer and third grade students from Fritsch Elementary School, Carson City, Nevada: Danny Thompson, Toby Basta, Jeff Chaney, Wayne Crowder, Brad Cuellar, Matt Franklin, Matt Russell, Omar Valle, Chuck Kelly, Mikie McAllister, Jesse Wadhams, Robb Owen, Todd Graham, Mark Dell Ergo, Neil Green, Jimmy Sardella, Betsy Freeman, Tanya Bane, Joanne Barrette, Penny Cupp, Katie Miles, Aimes Fulper, Amy Sinnott, Elaine Webster, Erin Croghan, Michelle Rodriquez, Cathy Wolta, Toni Emmons, Angie Culbert and Carmen Valdez.

On request of Assemblyman Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Janet Stanton, Liz Baro, Marie Dominque, Mr. Roy Moore and fifth grade students from Lemmon Valley Elementary School, Lemmon Valley, Nevada: Holly Baker, Shannon Bevilacqua, Larry Claus, Tammy Cremeans, Amanda Dixon, Deborah Fowler, Ryan Grundwald, Shannon League, Tony Lovett, Steve Lynch, Pride Morrissey, Lee Myers, Don Reedy, Paula Rivera, Lisa Rojas, Mary Stifling, Tracy Stafford, Yolanda Washington, Tony Wilson, Kim Wood, Nissa Scherman, Benji Bingham, Shane Doyle, Jack Reader, Mike Alexander, Chris Calli, Ali

Crawford, David Donahoe, Keith Dunfield, Patrick Griener, Jeanne Guise, Aaron Hotton, Missy Johnson, Doree Lively, John Knott, Patti Mangus, Sonya Marshall, Kim McMachlan, Tonya Motie, Roman Nation, Kurt Packer, Brett Peterson, Joe Scherer, David Stitis, Becky Wilcox, Patricia Jackson, Elli Casiveau, Starr Scammell and Heather Cleous.

On request Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Shane Beals, Miss Boltin and students from George Whittell High School, Lake Tahoe, Nevada.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, March 23, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:18 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-SIXTH DAY

CARSON CITY (Wednesday), March 23, 1983

Assembly called to order at 11:01 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblyman Perry, who was excused.
Prayer by the Chaplain, The Reverend Sidney E. Jackson.

Almighty God and Father, we come to thee with thankful hearts for thy many blessings. We thank thee for this a new day in which we have opportunity to help bring your blessings to mankind. Be with those today who must make decisions in this regard. Give them clarity of mind, unity of purpose, and hearts to do thy will. Bless them personally we pray. Be with their families. Give them watchcare and protection. In thy Holy Name we pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 29, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 252, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 22, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 28 and requests a conference, and appointed Senators Glaser, Horn and Raggio as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 19, 20.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 216, 221.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 65, 80.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Schofield, Bourne and Bogaert as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 28.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Banner:

Assembly Bill No. 387—An Act relating to industrial insurance; limiting the extent of an injured employee's exclusive remedy to the employer who paid the premium for insurance covering the injured employee; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblyman Sedway:

Assembly Bill No. 388—An Act relating to public health; prohibiting the manufacture, distribution, sale, possession and use of imitation controlled substances; providing an exception; providing penalties; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Ham, Berkley, Zimmer and Swain:

Assembly Bill No. 389—An Act relating to controlled substances; increasing the penalty for selling controlled substances to minors and for proximately causing the death of a minor by such a sale; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 65.

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

Motion carried.

Senate Bill No. 80.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

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

Assembly in recess at 11:09 a.m.

ASSEMBLY IN SESSION

At 11:15 a.m.
Mr. Speaker presiding.
Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 216.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.
Motion carried.

Senate Bill No. 221.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Government Affairs:
Assembly Bill No. 390—An Act relating to facilities for the detention of juveniles; raising the threshold of population for counties required to provide juveniles with facilities which are separate from those for adults; and providing other matters properly relating thereto.
Assemblyman Dini moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

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

Assembly in recess at 11:17 a.m.

ASSEMBLY IN SESSION

At 11:18 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Economic Development, Tourism and Mining:
Assembly Bill No. 391—An Act relating to the organization of state government; replacing the department of economic development with a commission on economic development and assigning its functions; establishing a commission on tourism and assigning its functions; creating an interagency committee and assigning its duties; and providing other matters properly relating thereto.
Assemblyman Price moved that the bill be referred to the Committee on Economic Development, Tourism and Mining.
Motion carried.

By Assemblymen Sedway, Schofield, Jeffrey, Stewart, Sader, Dini, Bremner, Nevin, Marvel, Coffin, Thomas, Thompson, Vergiels and Bourne:
Assembly Bill No. 392—An Act relating to hospitals; requiring

hospitals to itemize certain charges on their billings and describe those charges specifically and in understandable language; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Beyer, Marvel, Getto, Bogaert, Redelsperger, Bilyeu, Nevin, Bourne, Coffin, Thompson and Dini:

Assembly Bill No. 393—An Act making an appropriation for the support of the state engineer for the microfilming of his records; and providing other matters properly relating thereto.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 190, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 87.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 263.

Amend section 1, page 1, by deleting line 7 and inserting: "*life with or without the possibility of parole. If the penalty fixed by the court is life imprisonment with the possibility of parole, eligibility for parole begins when a minimum of 10 years has been served. For the purposes of this section,*".

Amend section 1, page 1, by deleting lines 9 through 12 and inserting: "*of the crime or of this state amounts to:*

(a) Murder or attempted murder;

(b) Kidnaping in the first or second degree;

(c) Sexual assault;

(d) Robbery;

(e) Mayhem; or

(f) Arson in the first degree.".

Amend section 1, page 1, by deleting lines 15 through 18.

Amend section 1, page 1, line 19, by deleting "*4.*" and inserting "*3.*".

Amend section 1, page 2, line 5, by deleting "*5.*" and inserting "*4.*".

Amend section 1, page 2, line 13, by deleting "*6.*" and inserting "*5.*".

Amend section 1, page 2, by deleting line 14 and inserting: "*dence of prior convictions:*

(a) For purposes of impeachment; or
(b) To show motive or a common scheme or plan.''.
Amend section 1, page 2, line 15, by deleting ''*7.*'' and inserting ''*6.*''.
Amend sec. 2, page 3, by deleting line 19 and inserting: ''dence of prior convictions *:* [for]
(a) For purposes of impeachment [.] *; or*
(b) To show motive or a common scheme or plan.''.
Assemblyman Ham moved the adoption of the amendment.
Remarks by Assemblyman Ham.
Amendment adopted.
Assemblyman Jeffrey moved that Assembly Bill No. 87 be re-referred to the Committee on Ways and Means.
Remarks by Assemblyman Jeffrey.
Motion carried.
Bill ordered reprinted and engrossed.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Berkley moved that Assembly Bill No. 158 be taken from the Second Reading File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Berkley.
Motion carried.

Assemblyman Dini moved that Senate Bill No. 93 be taken from the Second Reading File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Dini.
Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 199.
Bill read second time.
The following amendment was proposed by the Committee on Taxation:
Amendment No. 273.
Amend section 1, page 1, by deleting lines 4 and 5 and inserting: ''to a licensed dealer. *As payment for the stamps, the departmemt shall deduct from the excise tax collected by the dealer the actual cost incurred by the department for the stamps and for making the sale.*''.
Amend the title of the bill, second line, by deleting ''charge for'' and inserting: ''deduct from the proceeds the''.
Assemblyman Bergevin moved the adoption of the amendment.
Remarks by Assemblyman Bergevin.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 255.
Bill read second time.
The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 262.

Amend sec. 2, page 2, line 4, by deleting "[is] *and the system are*" and inserting "is".

Amend sec. 2, page 2, line 6, by deleting "[.] , *and*" and inserting: ". *The system is responsible for administrative appeals pursuant to*".

Amend the bill as a whole by deleting section 7 and renumbering sections 8 through 12 as sections 7 through 11.

Amend sec. 8, page 4, line 32, by deleting "*each*" and inserting "*a*".

Amend sec. 8, page 4, lines 33 and 34, by deleting "*comply with the requirements of subsection 1.*" and inserting: "*submit the information required in subsection 1 within the time allowed.*".

Amend sec. 12, page 5, by deleting line 41 and inserting:

"616.544 If [an appeal is taken to] *a party petitions* the district court [from] *for judicial review of* a final deci-".

Amend sec. 12, page 5, line 42, by deleting "] *the* appeal" and inserting "appeal] *the petition*".

Amend sec. 12, page 5, line 45, by deleting "party taking [such] the appeal." and inserting: "[party taking such appeal.] *petitioner.*".

Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblyman Zimmer.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 287.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 247.

Amend section 1, page 1, by deleting line 5 and inserting: "*for life, with possibility of parole, beginning when a minimum of 5 years has been served, or by a fine of not*".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 16.

Resolution read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 279.

Amend the resolution, page 3, line 23, after "*decision of the commission*" by inserting: "*made after the public hearing*".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

Senate Bill No. 7.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 281.

Amend sec. 5, page 2, line 36, by deleting "*, deferred or withheld*".

Amend sec. 5, page 2, line 40, by deleting "*by the prosecutor,*" and inserting comma after "*motion*".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 125.

Bill read second time and ordered to third reading.

Senate Bill No. 126.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 134 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Jeffrey.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 128.

The following Senate amendment was read:

Amendment No. 192.

Amend section 1, page 1, by deleting line 12 and inserting "*day.*".

Assemblyman Banner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 128.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

GENERAL FILE AND THIRD READING

Assembly Bill No. 50.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 50:

YEAS—41.

NAYS—None.

Absent—Perry.

Assembly Bill No. 50 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 85.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Assembly Bill No. 85:
YEAS—41.
NAYS—None.
Absent—Perry.

Assembly Bill No. 85 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 184.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 184:
YEAS—41.
NAYS—None.
Absent—Perry.

Assembly Bill No. 184 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 258.
Bill read third time.
Remarks by Assemblymen Thomas and Price.
Roll call on Assembly Bill No. 258:
YEAS—41.
NAYS—None.
Absent—Perry.

Assembly Bill No. 258 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 284.
Bill read third time.
Remarks by Assemblyman Bogaert.
Roll call on Assembly Bill No. 284:
YEAS—40.
NAYS—None.
Absent—Perry.
Not voting—Marvel.

Assembly Bill No. 284 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 134.
Bill read third time.
The following amendment was proposed by Assemblyman Jeffrey:
Amendment No. 291.
Amend section 1, page 1, line 10 after "*and*" by inserting "*may*".
Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 44, 119, 160.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bergevin, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Herb Witt, Robert Hadfield and Brent Kolvet.

On request of Assemblyman Bilyeu, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Dave Pastorino, Charles Vaccaro, Jerry Reynolds, Caesar Salicchi and Bob Kane.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lisa Reck, Sue Reck, Mary Sue Johnson, Ruth Whittaker, Messrs. Steve McGuire, Brent Eldridge, Archie Robinson, Marc Picker and Jay Henriod.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Tebeau Piquet.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Leroy Ward, Joe Rommori, Mark Schrader, Roy Neighbors, Ms. Nancy Carr, Rita Evasovich and Geneva Neuhauser.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Olivia Lloyd.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Judith Heinbaugh, Dashiell Perkins and Lyn Berroyer.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Andrea Rathbun.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to students from Manogue High School, Reno, Nevada: R. Alastuey, M. Allen, R. Amestoy, S. Andrews, M. E. Arrascada, J. Auld, T. Austin, K. Ballard, T. Barozzi, M. Bell, S. Berry, G. Bocks, M. Bodensteiner, M. Brophy, C. Burkett, T. Capurro, L. Carlon, J. Cavilia, B. Chapman, C. Chernisky, K. Clark, P. Cleary, K. Colombo, M. Connor, T. Cordi, K. Cornforth, N. Cullen, K. Dalton, S. Damonte, T. Davidson, M. Decker, A. De Martini, M. De Ricco, D. Des Jardin, J. Dodge, J. Doughty, T. Douglass, S. Dunn, L. Durkin, J. Eckert, T. Ernst, T. Ewoldt, G. Fine, C. Fulton, T. French, M. Gadantuomini, D. Gibeau,

B. Greenless, R. Grosjean, J. Hansen, K. Hawkins, S. Helgren, M. Herrera, J. A. Heister, J. Hillygus, D. Hinman, M. Horjes, P. Hutchins, J. Jordan, M. Kaskie, A. Kavie, S. Kennedy, D. Kitchen, K. Knuf, D. Lacerda, D. La Fargo, J. Lang, P. Leautier, T. Lehman, T. Long, L. Mac Lellan, T. McCulloch, T. McElroy, D. McEachin, D. McKay, G. Martin, C. Mills, B. Murphy, M. Neely, B. Nolan, K. Norman, P. Norton, M. O'Brien, K. O'Gara, G. Olson, A. Oppio, S. Orthwein, M. Ortiz, N. Oparodi, T. Peitz, B. Pincolini, B. Pinto, D. Prager, T. Prima, H. Puentes, L. Quilici, A. Raiche, M. Ramos, T. Revigilio, T. Richards, P. Ries, D. Rissone, R. Ritter, S. Rose, R. Russell, M. Scheiber, S. Schmorde, C. Scott, D. Sillery, S. Sinnar, D. Smart, A. Soto, M. Speicher, P. Speth, R. Stillwell, J. Stone, M. Sullivan, Bill Summers, Bob Summers, P. Taitingthatsna, M. Talbott, C. Teixetra, S. Tolon, R. Tuntland, M. J. Walsh, S. Warren, T. Warren, W. Wells, M. Williams, B. Zeme, C. Zunimo, R. Micalizzi and M. Gerhardt.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Gene Donovan and Tom McAffrey.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, March 24, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:01 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-SEVENTH DAY

CARSON CITY (Thursday), March 24, 1983

Assembly called to order at 11:05 a.m.
Mr. Speaker presiding.
Roll called.
All present except Assemblyman Kovacs, who was excused.
Prayer by the Chaplain, The Reverend Sidney E. Jackson.

Our Heavenly Father, we come to thee with thanksgiving for the many blessings that we have in this great land. We pray that thou wilt watch over us and guide us in how we use these many and varied gifts. Help this assembly of concerned representatives in the choices that they make. Guide us in the ecological use of our land, our water, and our many resources. Make us as a citizenry so recognize the beauty and value of our heritage that we may pass on these gifts to our children and our children's children. Especially do we recognize and give thanks for a beautiful group of young people who are guests of the assembly today. All this we ask in thy Holy Name.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 211, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which were referred Assembly Bills Nos. 213, 234, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 289, 329, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 121, 123, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Bill No. 41, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which were referred Senate Bills Nos. 53, 139, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 308, 312, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 23, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 82, 84, 141, 181, 185, 200, 203.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 206.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 52.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini and Getto:

Assembly Joint Resolution No. 21—Urging the Congress of the United States to ratify the California-Nevada Interstate Compact.

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

Motion carried.

By Assemblymen Marvel, Getto, Bogaert, Thompson, Bergevin and Dini:

Assembly Joint Resolution No. 22—Requesting the conveyance of certain land at Rye Patch Reservoir to the Pershing County water conservation district.

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

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 394—An Act relating to writs of habeas corpus; clarifying and amending the requirements for a pretrial petition for a writ; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 395—An Act relating to criminal procedure;

allowing the conviction of a person based on the testimony of an accomplice; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 396—An Act relating to juveniles; expanding the list of crimes for which a juvenile may be tried as an adult; authorizing the photographing of juveniles referred to juvenile court; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Ham:

Assembly Bill No. 397—An Act relating to abortion; requiring the person who performs an abortion to complete a certificate of death; requiring the burial or cremation of the aborted embryo or fetus; and providing other matters properly relating thereto.

Assemblyman Ham moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblyman Ham:

Assembly Bill No. 398—An Act relating to infants; requiring those responsible for the care of a child after he is born to take all reasonable steps to preserve his life; providing penalties; and providing other matters properly relating thereto.

Assemblyman Ham moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblyman Bourne:

Assembly Bill No. 399—An Act relating to insurance; requiring an insurer to pay benefits to the assignee under a policy for health insurance or for group or blanket health insurance; requiring an insurer to pay the assignee if a payment is made erroneously to an insured; and providing other matters properly relating thereto. .

Assemblyman Bourne moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Joerg:

Assembly Bill No. 400—An Act relating to traveling merchants; repealing the special restrictions on such merchants; and providing other matters properly relating thereto.

Assemblyman Joerg moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Malone:

Assembly Bill No. 401—An Act relating to veteran affairs; modifying

the terms for the commissioner and deputy commissioner; requiring the members of the advisory commission to be from a national veterans' organization; authorizing the governor to remove members from the commission; changing the dates for the meetings of the commission; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 402—An Act relating to the public employees' retirement system; making various administrative changes; changing the maximum amount which may be earned by retired employees; requiring contributions on any award of back pay; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 403—An Act relating to local government securities; permitting their disposition at public or private sale; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 404—An Act relating to public securities; providing for the issuance of refunding securities for the state bond bank; revising the requirements for public sales of state securities; revising the limitations on refunding securities of the state and the university; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 405—An Act relating to time shares; requiring the separate assessment of each time-share estate; permitting a single tax statement to be used for the time-share property; and providing other matters properly relating thereto.

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

Motion carried.

Assemblyman Stewart moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:15 a.m.

ASSEMBLY IN SESSION

At 11:20 a.m.
Mr. Speaker presiding.
Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 406—An Act relating to counties; allowing county commissioners to enter into contracts extending beyond their terms of office; providing that such contracts are binding beyond those terms only to the extent that money is appropriated therefor; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 407—An Act relating to the care and protection of adults; providing for protective services and protective placement; requiring that day care facilities be licensed; adding day care facilities for adults to the projects which may be undertaken pursuant to the County Economic Development Revenue Bond Law; and providing other matters properly relating thereto.

Assemblyman Dini moved that the bill be referred to the Concurrent Committees on Health and Welfare and Government Affairs.

Motion carried.

By Assemblymen Getto and Dini:

Assembly Bill No. 408—An Act relating to crimes and punishments; prohibiting the issuance of a check or draft to obtain services or the use of property if the drawer has insufficient money, property or credit with the drawee to pay it; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Price, Bourne, Malone, Nevin, Marvel, Collins, Kovacs, Banner, Ham, Getto, Vergiels, Beyer, Thomas, Zimmer, Swain, Francis, Bilyeu, Joerg, Kerns, Sedway, Craddock, DuBois, Berkley, Humke, Chaney, Thompson, Redelsperger, Nicholas, Dini, Stewart, Bogaert, Fay and Stone:

Assembly Bill No. 409—An Act relating to involuntary manslaughter; including the accidental death of a peace officer who is pursuing a fugitive in the definition of involuntary manslaughter; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Price:

Assembly Bill No. 410—An Act relating to vehicles; requiring the preparation and use of smaller license plates for small trailers; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 52.

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

Motion carried.

Senate Bill No. 206.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 252.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 220.

Amend sec. 9, page 3, line 28, by deleting "[disability,] *disease*" and inserting "disability [,]".

Amend the bill as a whole by deleting sections 12 and 13 and renumbering sections 14 and 15 as sections 12 and 13.

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Assemblyman Thompson moved that Assembly Bill No. 252 be placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered reprinted and engrossed.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Senate Bill No. 110 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Stewart.

Motion carried.

Assemblyman Dini moved that Senate Bill No. 93 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Dini.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 29.

Bill read second time and ordered to third reading.

Senate Bill No. 190.

Bill read second time and ordered to third reading.

Senate Bill No. 110.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 214.

Amend section 1, page 1, by deleting lines 8 through 11 and inserting: "sale on execution, or any final process from any court, except as provided by subsection 2.

2. The exemption provided in subsection 1 does not extend to process to enforce the payment of obligations contracted for the purchase of the premises, or for improvements made thereon, including any mechanic's lien lawfully obtained, or for legal taxes, or for:".

Amend section 1, page 1, line 17, by deleting "2." and inserting "3.".

Amend section 1, page 1, line 18, by deleting "is] *1983, shall be*" and inserting "] *1983,* shall be".

Amend the bill as a whole by inserting a new section designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 115.020 is hereby amended to read as follows:

115.020 1. The homestead selection [shall] *must* be made by either the husband or wife or both of them, other head of a family, or other single person, declaring an intention in writing to claim the [same] *property* as a homestead.

2. The declaration [shall] *must* state:

(a) When made by a married person or persons, that they or either of them are married, or if not married, that he or she is the head of a family or a householder.

(b) When made by a married person or persons, that they or either of them, as the case may be, are, at the time of making the declaration, residing with their family, or with the person or persons under their care and maintenance, on the premises, particularly describing the premises.

(c) When made by any claimant under this section, that it is their or his intention to use and claim the [same] *property* as a homestead.

3. The declaration [shall] *must* be signed by the person or persons making [the same,] *it,* and acknowledged and recorded as conveyances affecting real property are required to be acknowledged and recorded. [From and after the filing for record of the declaration, the husband and wife shall be deemed to hold the homestead as joint tenants.

4.] If the property declared upon as a homestead [be] *is* the separate property of either spouse, both must join in the execution and acknowledgment of the declaration . [; and if the property shall retain its character of separate property until the death of one or the other of the spouses, then the homestead right shall cease in and upon the property and the same belong to the person (or his or her heirs) to whom it belonged when filed upon as a homestead.]

4. The rights acquired by declaring a homestead are not extinguished by the conveyance of the underlying property in trust for the benefit of the person or persons who declared it.''.

Amend the bill as a whole by renumbering section 2 as section 3.

Amend the bill as a whole by inserting a new section designated section 4, following section 2, to read as follows:

''Sec. 4. NRS 115.060 is hereby amended to read as follows:

115.060 [1. Except as otherwise required by subsection 4 of NRS 115.020, the homestead and all other property exempt by law from sale under execution, must, upon the death of either spouse, be set apart by the court as the sole property of the surviving spouse, for his benefit and that of his legitimate child or children. If there is no surviving spouse or legitimate child of either, then the property is subject to administration and to the payment of his debts and liabilities.

2. The provisions of subsection 1 also apply to a single person with respect to his minor brothers or sisters, or both, or of a brother's or sister's minor children, or of a father or mother, or of grandparents, or unmarried sisters who were living in his house and under his care and maintenance at the time of his death, but in all such cases the right of enjoyment conferred by subsection 1 ceases upon the cessation of the terms upon which it was granted.]

1. If the property declared upon as a homestead is community property, the husband and wife shall be deemed to hold the homestead as community property with a right of survivorship. Upon the death of either spouse:

(a) The exemption of the homestead from execution continues, without further filing, as to any debt or liability existing against the spouses, or either of them, until the death of the survivor and thereafter as to any debt or liability existing against the survivor at the time of his death.

(b) The property vests absolutely in the survivor.

2. If the property declared upon as a homestead is the separate property of either spouse, the husband and wife shall be deemed to hold the right to exemption of the homestead from execution jointly while both spouses are living. If the property retains its character as separate property until the death of one or the other of the spouses:

(a) The exempton of the homestead from execution continues as to any debt or liability existing against the spouses, or either of them, at the time of death of the decedent but ceases as to any subsequent debt or liability of the survivor.

(b) The property belongs to the person (or his heirs) to whom it belonged when filed upon as a homestead.

3. If the property declared upon as a homestead is the property of a single person who is the head of a family, upon his death:

(a) The exemption of the homestead from execution continues, without further filing, as to any debt or liability existing against him at the time of his death and as to any subsequent debt or liability against a member of his family who was living in his house and under his care and maintenance at the time of his death, if that member of the family continues

to reside on the homestead property and is his minor child, minor brother or sister, minor nephew or niece or his parent or grandparent.

(b) The right of enjoyment of the property belongs to each member of the family described in paragraph (a) until that member no longer qualifies under that paragraph.

4. If the property declared upon as a homestead is the property of a single person who is not the head of a family, upon his death the exemption of the homestead from execution continues as to any debt or liability against him at the time of his death.''.

Amend the bill as a whole by renumbering section 3 as section 5.

Amend sec. 3, page 3, by deleting lines 12 and 13 and inserting: ''judgment debtor during this period, or for each week of the period 30 times the''.

Amend the bill as a whole by inserting a new section designated section 6, following section 3, to read as follows:

''Sec. 6. NRS 146.050 is hereby amended to read as follows:

146.050 1. If the homestead was selected by the husband and wife, or either of them, during their coverture, and recorded while both were living, as provided in chapter 115 of NRS, it vests, on the death of either spouse, absolutely in the survivor, unless vesting is otherwise required pursuant to subsection [4 of NRS 115.020.] *2 of NRS 115.060.*

2. If no homestead was selected, but a homestead is set apart by the court for a limited period to the family of the decedent, as provided in this chapter, it vests, subject to this setting apart:

(a) If set apart from his separate property, in the heirs or devisees of the decedent.

(b) If set apart from community property, one-half in the surviving spouse, and one-half in the devisees of the decedent, or if no testamentary disposition is made then in the surviving spouse.

3. If the homestead is set apart by the court for a limited period of time, such period must be designated in the order and [shall] *must* not extend beyond the lifetime of the surviving spouse or the minority of any child or children of the decedent, whichever is longer.

4. In either case referred to in subsection 1 or 2, the homestead is not subject to the payment of any debt or liability existing against the spouses, or either of them, at the time of death of either, except it be secured by lawful liens thereon.''.

Amend the title of the bill, second line, after ''execution;'' by inserting: ''providing that certain conveyances do not extinguish the homestead; clarifying provisions relating to the right of survivorship and the disposition of the property in case of death;''.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Assemblyman Stewart moved that Senate Bill No. 110 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted and re-engrossed.

Senate Bill No. 93.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 272.

Amend section 1, page 2, line 37, by deleting "*, grant*".

Amend section 1, page 2, by deleting line 38 and inserting: "*to the agency unless the gift or bequest provides otherwise. An agency, when depositing a gift or bequest, shall notify the state treasurer whether it is a gift or bequest which entitles the agency to the interest earned.*".

Amend sec. 20, page 12, by deleting lines 6 and 7 and inserting:

"Sec. 20. 1. Section 2 of Senate Bill No. 141 of the 62nd session of the Nevada legislature, being chapter 58, Statutes of Nevada 1983, is hereby amended to read as follows:

Sec. 2. Chapter 382 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. The Nevada historical society may maintain up to the sum of $1,000 in a checking account with an insured bank in this state. The money in this account may be used to purchase artifacts, manuscripts, references for the library and related materials which become available to the society in an emergency or upon short notice.

2. Money received by the society from donations, grants, the sale of books and pamphlets, or any other source, except appropriations from the state general fund, must be deposited in the state treasury for credit to the historical dedicated trust fund which is hereby created. The money in the trust fund must be expended, within any limitations specified by the particular donors, at the discretion of the director. This money may also be used to reimburse the money expended from the checking account.

3. The director or a person designated in writing by him shall:

(a) Draw all checks on the checking account.

(b) Endorse all checks or other negotiable items made payable to the Nevada historical society for deposit in the state treasury to be credited to the trust fund.

4. The interest and income earned on the money in the historical dedicated trust fund, after deducting any applicable charges, must be credited to the fund.

2. Sections 3 and 5 of Senate Bill No. 141 of the 62nd session of the Nevada legislature, being chapter 58, Statutes of Nevada 1983, are hereby repealed.".

Amend the bill as a whole by adding a new section designated section 21, following section 20, to read as follows:

"Sec. 21. 1. This section and section 20 of this act shall become effective upon passage and approval.

2. Section 1 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Amend the title of the bill, fourth line, after "fund;" by inserting: "requiring agencies to notify the state treasurer of deposits whose interest must be credited to the agency;".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that Assemblyman Kovacs is excused for the purpose of attending a meeting of the National Conference of State Legislatures.

GENERAL FILE AND THIRD READING

Assembly Bill No. 282.
Bill read third time.
Remarks by Assemblyman Schofield.
Roll call on Assembly Bill No. 282:
YEAS—41.
NAYS—None.
Excused—Kovacs.

Assembly Bill No. 282 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 330.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 330:
YEAS—41.
NAYS—None.
Excused—Kovacs.

Assembly Bill No. 330 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 38.
Bill read third time.
Remarks by Assemblyman Bourne.
Roll call on Senate Bill No. 38:
YEAS—41.
NAYS—None.
Excused—Kovacs.

Senate Bill No. 38 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 125.
Bill read third time.
Remarks by Assemblyman Kerns.

Roll call on Senate Bill No. 125:

YEAS—41.
NAYS—None.
Excused—Kovacs.

Senate Bill No. 125 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 126.

Bill read third time.

Remarks by Assemblyman Berkley.

Roll call on Senate Bill No. 126:

YEAS—41.
NAYS—None.
Excused—Kovacs.

Senate Bill No. 126 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 128; Senate Bill No. 107; Senate Joint Resolution No. 8; Assembly Concurrent Resolutions Nos. 19, 20.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Scott Hodges and Ms. Katie Meyer.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Joanne Dalton and Mr. Vernon Dalton.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ross Dohlen.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Walt Lundquist, Richard Holsinger, Mrs. Jessie Holsinder, Ms. Roberta Shinn and fourth grade students from Calvary Baptist Church, Reno, Nevada: Marc Bebout, Lori Carter, David Cox, Sheldon Harrison, Crystal Hunter, Robert Larson, Tracy Lux, Trisha Martin, Steven Privette, Suzanne Rhodes, Travis Schweitzer, Kimberly Wood; and Mr. Dave Buell.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Heiss, Mr. Stewart and students from Fernley Intermediate School, Fernley,

Nevada: Chris Brochert, Cindy Colvin, Allison Crosby, Lillian Douglas, Kim Ford, Cameron Goins, Damon Jackson, Robbie Kelso, Donna Kemp, Shawn McFarlane, Bill Moss, Richard Miller, Deanna Navarrete, Karen Norlie, Myrtle Rodriguez, Robert Rummell, Kim Soule, Maria Webb, Adam Wells, Shawna Wiabel, Cindy Clark, Amy Cole, Toby German, Joelle Gregory, Scott Hodges, Lonora Houghton, Tami Martin, Katie Meyer, Holly Nelson, George Rosario, Brenda Sibert, Tammy Vardell, Byran Wolf, Dennie Smith, Brian Borjas, Monique Grahman, Wendy Scott, Bill Holler and Shawn Warwick.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Machele Claytor, Chris Marquette, Bobby Helms, John Poor, Robin Jennings, Stephanie Fowler, Scott Thompson, Kellee Brewer, Dow Lazenby, Cheryl Russ, Jill Doremus, Paul McComb, Elaine Fowler, Raji Fowler, Barbara Leiger, David Davidson, Laura Davidson, Mike Davidson, Hegy Gallis, Leonard Marshall, Georgie Weathers-Smith, Betty Puryear, Jim Kluver, Carol Gearhart, John Gonzalez, Oscar Ramos, Terry Erickson, Allen Frenzer, Kathy Olson, Mary Bennett, Harold Fowler and Frank Fredianni.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jenita Gumiensky.

Assemblyman Stewart moved that the Assembly adjourn until Friday, March 25, 1983, at 10:30 a.m.

Motion carried.

Assembly adjourned at 11:52 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SIXTY-EIGHTH DAY

CARSON CITY (Friday), March 25, 1983

Assembly called to order at 10:35 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present except Assemblyman Kovacs, who was excused.
Prayer by the Chaplain, The Reverend Sidney E. Jackson.

Almighty God, again we come to thee with thankful hearts. There are so many things that we should be thankful for today. We thank thee for America, for friends, for the freedoms that we enjoy. The list could go on and on. I wish to thank thee personally for Good Friday and Easter Sunday and the freedom to worship as we please.

In your word we are instructed to pray for those in authority that we may have peace in our land. Bless these ladies and gentlemen who represent us. Give them wisdom and courage we pray. In thy Holy Name we present our petitions.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 358, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 24, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 180.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 15, 46, 186, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 223, 240, 252.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 140, 145, 193, 201.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Fay, Collins, Bogaert, Stone, Nevin, Bergevin, Banner, Nicholas, Ham, Thompson, Price, Jeffrey, Chaney, Thomas, Kerns, Marvel and Getto:

Assembly Joint Resolution No. 23—Proposing to amend the

constitution of the State of Nevada to permit the operation of lotteries by the state for specific purposes.

Resolved by the Assembly and the Senate of the State of Nevada, jointly, That section 24 of article 4 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] *Sec.* 24. [No] *1. Except as provided in subsection 2, no* lottery [shall] *may* be authorized by this State, nor [shall the sale of] *may* lottery tickets be [allowed.] *sold.*

2. This State may operate a lottery, but the proceeds of the lottery may be used only:

(a) To benefit older residents;

(b) For educational purposes; and

(c) To aid in enforcing the laws.

Assemblyman Fay moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Stone, Francis, Sedway, Nevin, Fay, Marvel, Bourne, Banner, Bergevin, Malone, Bogaert, Berkley, Swain, Kerns, Dini, Ham, Getto, Zimmer, Thomas, Joerg, Humke, Thompson, Vergiels, Jeffrey, DuBois, Schofield, Beyer, Nicholas, Perry, Collins and Brady:

Assembly Bill No. 411—An Act relating to the University of Nevada; authorizing the establishment of student governments; authorizing the collection of a fee to support student government; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 412—An Act relating to community antenna television companies; transferring their regulation from the public service commission to towns, cities and counties; providing penalties; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Thompson, Jeffrey, Banner, Dini, Stewart, Chaney, Fay, Schofield, Sader and Redelsperger:

Assembly Bill No. 413—An Act relating to property tax; enlarging the veteran's exemption by removing the requirement of residency before service in the military; providing a similar exemption for the vehicle privilege tax; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Price, Schofield, Bergevin, Malone, Bourne, Ham, Getto, Chaney, Coffin, Sedway, Joerg, Swain, Craddock, Berkley, Redelsperger, Thompson, Dini, Sader, Jeffrey, Perry, Stewart, Collins, May, Bogaert, Fay, Stone and Nevin:

Assembly Bill No. 414—An Act relating to insurance; requiring the

commissioner of insurance to publish a guide for insurance for motor vehicles; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 140.

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

Motion carried.

Senate Bill No. 145.

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

Motion carried.

Senate Bill No. 193.

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

Motion carried.

Senate Bill No. 201.

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

Motion carried.

Senate Bill No. 223.

Assemblyman Jeffrey moved that the bill be referred to the Concurrent Committees on Natural Resources, Environment and Agriculture and Ways and Means.

Motion carried.

Senate Bill No. 240.

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

Motion carried.

Senate Bill No. 252.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 144, 195, 196, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Chaney moved that Assembly Bill No. 84 be returned from enrollment.

Remarks by Assemblyman Chaney.

Motion carried.

Assemblyman Chaney moved that the vote whereby Assembly Bill No. 84 was passed be rescinded.

Remarks by Assemblyman Chaney.

Motion carried.

Assemblyman Coffin moved that Assembly Bill No. 287 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Coffin.

Motion carried.

Assemblyman May moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 10:50 a.m.

ASSEMBLY IN SESSION

At 10:54 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that Assemblyman Kovacs is excused for the purpose of attending a meeting of the National Conference of State Legislatures.

GENERAL FILE AND THIRD READING

Assembly Bill No. 134.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 134:

YEAS—41.

NAYS—None.

Excused—Kovacs.

Assembly Bill No. 134 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 199.

Bill read third time.

Remarks by Assemblyman Zimmer.

Roll call on Assembly Bill No. 199:

YEAS—41.

NAYS—None.

Excused—Kovacs.

Assembly Bill No. 199 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 255.
Bill read third time.
Remarks by Assemblyman Zimmer.
Roll call on Assembly Bill No. 255:

YEAS—41.
NAYS—None.
Excused—Kovacs.

Assembly Bill No. 255 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 16.
Resolution read third time.
Remarks by Assemblymen Stewart, Dini, Coffin, Beyer, Bourne, Sader and Bilyeu.
Assemblyman Thompson moved that Assembly Joint Resolution No. 16 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblymen Thompson, Swain and Stone.
Assemblymen Price, Ham and Bergevin requested a roll call on Assemblyman Thompson's motion.
Remarks by Assemblymen Schofield and Craddock.
Roll call on Assemblyman Thompson's motion:

YEAS—23.
NAYS—Banner, Bilyeu, Brady, Collins, DuBois, Fay, Ham, Humke, Joerg, Malone, Nevin, Nicholas, Price, Redelsperger, Stewart, Stone, Swain, Mr. Speaker—18.
Excused—Kovacs.

The motion having received a majority, Mr. Speaker declared it carried.

Senate Bill No. 7.
Bill read third time.
Remarks by Assemblyman Nevin.
Roll call on Senate Bill No. 7:

YEAS—41.
NAYS—None.
Excused—Kovacs.

Senate Bill No. 7 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 29.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 29:

YEAS—41.
NAYS—None.
Excused—Kovacs.

Senate Bill No. 29 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 190.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 190:

YEAS—41.
NAYS—None.
Excused—Kovacs.

Senate Bill No. 190 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Senate Bill No. 93 be re-referred to the Committee on Ways and Means.
Remarks by Assemblyman Dini.
Motion carried.

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

Assembly in recess at 11:28 a.m.

ASSEMBLY IN SESSION

At 11:29 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 84.
Bill read third time.
The following amendment was proposed by Assemblyman Chaney:
Amendment No. 302.
Amend section 1, page 1, by deleting line 6 and inserting: "executive director of the board shall mail an application for renewal of the license".
Amend section 1, page 1, by deleting lines 9 through 11 and inserting:
"3. Each applicant for renewal of a license must complete the application and return it to the executive director together with the fee for the biennial renewal and proof of completion of the required continuing".
Amend section 1, pages 1 and 2, by deleting line 21 on page 1 and lines 1 and 2 on page 2 and inserting:
"2. A licensee who fails to renew his license may have his license reinstated by completing an application for renewal and payment of the reinstate-".
Amend section 1, page 2, by deleting lines 11 and 12 and inserting: "tion of an application and payment of the current fee for biennial renewal of the license.".

Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:

"Sec. 2. This act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Chaney moved the adoption of the amendment.

Remarks by Assemblyman Chaney.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 415—An Act relating to constables; increasing certain fees for their services; setting a fee for warrants of arrest; and providing other matters properly relating thereto.

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

Motion carried.

Assemblyman Stewart moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:30 a.m.

ASSEMBLY IN SESSION

At 11:35 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 416—An Act relating to local government; restricting the withdrawal by a local government of the recognition of an employee organization; permitting a factfinder to consider whether a party has bargained in bad faith; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 417—An Act relating to the filing of documents; increasing fees for filing security agreements and certain other documents under the Uniform Commercial Code; increasing the fee for searching for certain federal liens; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 418—An Act relating to the refunding of public securities; removing certain limitations in the issuance of refunding obligations by the state and its political subdivisions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 419—An Act relating to the property tax; changing the dates for assessing property, for making certain determinations respecting the assessment of property and for closing the tax rolls; changing the date when the lien attaches; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Jeffrey, Stewart, Stone, Berkley and Schofield:

Assembly Bill No. 420—An Act relating to mental health; increasing the penalties for abusing clients of the division; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Getto:

Assembly Bill No. 421—An Act relating to nurses; increasing the maximum fees which may be charged by the state board of nursing; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 211.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 213.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 287.

Amend section 1, page 1, by deleting lines 13 and 14 and inserting:

"*3. The name, principal address and general description of the business activity of any organization or enterprise conducting business in this state, including a corporation, partnership, firm, business trust or joint venture, which is operated for economic gain and in which he or a member of his household:*

(a) Holds stock or securities of any class representing 1 percent or more of the total outstanding stock; or

(b) Is a trustee, director, officer, owner, partial owner, limited or general partner or beneficiary of a trust,
or did or was so during the 12 months immediately preceding the date of the statement.''.

Amend the title of the bill, first line, by deleting ''assets'' and inserting ''interests''.

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 234.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 246.

Amend section 1, page 1, by deleting line 6, and inserting: ''[January 1 of the year in which the election is to be held] *150 days before the primary election* nor''.

Amend section 1, page 1, line 7, by deleting ''*on May 31.*'' and inserting: ''*on the 90th day before the primary election.*''.

Amend sec. 2, page 2, by deleting line 37, and inserting: ''[the 2nd Monday in June] *150 days before the primary election* nor later than 5 p.m. on the [2nd''.

Amend sec. 2, page 2, line 38, by deleting ''[July,] *May,*'' and inserting: ''July,] *90th day before the primary election,*''.

Amend sec. 3, page 3, line 31, by deleting ''*April 1*'' and inserting: ''*150 days before the primary election*''.

Amend sec. 3, page 3, line 32, by deleting ''[the last Friday in June.] *May 31.*'' and inserting: ''The [last Friday in June.] *90th day before the primary election.*''.

Amend sec. 3, page 3, line 44, before ''3rd'' by inserting an open bracket.

Amend sec. 3, page 4, line 1, after ''July.'' by inserting: ''] *70th day before the primary election.*''.

Amend sec. 3, page 4, line 2, by deleting ''5'' and inserting ''[5] *65*''.

Amend sec. 3, page 4, by deleting line 3 and inserting: ''more than [10 days after the 3rd Wednesday in July.] *60 days before the primary election.*''.

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 289.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 284.

Amend section 1, page 1, line 6, after "*Be*" by inserting "*unfairly*".

Amend section 1, page 1, line 18, after "*which*" by inserting "*unfairly*".

Amend sec. 5, page 3, line 43, by deleting "*charged*" and inserting "*reimbursed*".

Assemblyman Thomas moved the adoption of the amendment.

Remarks by Assemblyman Thomas.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 308.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 312.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 329.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 274.

Amend section 1, page 1, line 2, by deleting "to 5, inclusive," and inserting "and 3".

Amend sec. 2, page 1, by deleting line 3 and inserting:

"Sec. 2. *1. All down*".

Amend sec. 2, page 2, by inserting between lines 5 and 6:

"*4. On or before June 30 of each year, each dealer shall file with the division a report of his trust account for the preceding calendar year which was prepared by a registered or certified public accountant. The report must be prepared in accordance with generally accepted auditing standards.*".

Amend the bill as a whole by deleting sections 4 and 5 and renumbering sections 6 to 8 as sections 4 to 6.

Amend sec. 7, page 3, by deleting lines 28 through 30.

Amend the title of the bill by deleting the second through fourth lines and inserting: "money received by dealers in mobile homes; providing a ground for disciplinary action against those".

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblyman Bourne.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 41.

Bill read second time and ordered to third reading.

Senate Bill No. 53.

Bill read second time and ordered to third reading.

Senate Bill No. 121.

Bill read second time and ordered to third reading.

Senate Bill No. 123.

Bill read second time and ordered to third reading.

Senate Bill No. 139.

Bill read second time and ordered to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 82, 141, 181, 185, 200, 203.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Knapp and students from Tonopah Jr. High School, Tonopah, Nevada.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Viola Garrison Cota.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, March 28, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:54 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-FIRST DAY

CARSON CITY (Monday), March 28, 1983

Assembly called to order at 11:04 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Berkley and Sedway, who were excused.

Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all,

Today we begin another week. For our friend Joe Dini another year begins and we celebrate that. For many of us this week is called "Holy." For others, it is the week of Passover.

For all of us it is a new journey of faith. It is a journey that is not easy for any of us, especially as we encounter barriers and diversions along the way.

It is especially then that we all become more aware of our own limitations—with the reality that only you are holy.

So, where we do not have the answers, lead us in our search for them. Where others disagree with those answers to which we are led, help us to listen to the answers of others.

And where we stray from the path on this our journey, bless us still and forgive us.

Lord, in your mercy, hear this our prayer, and walk with us now as the journey of this day goes on.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 254, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Labor and Management.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Concurrent Resolution No. 11, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 324, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 25, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 241.

Also, I have the honor to inform your honorable body that the Senate on this day receded from its action on Assembly Bill No. 88.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 198 and requests a conference, and appointed Senators Glover, Ashworth and Ryan as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 82, 185, 199.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen May, Schofield and Bergevin as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 198.

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 11.

Assemblyman Malone moved the adoption of the resolution.

Remarks by Assemblyman Malone.

Resolution adopted unanimously.

By the Committee on Legislative Functions:

Assembly Resolution No. 11—Amending Assembly Standing Rule 94 to extend the privileges of the floor to former assemblymen.

Resolved by the Assembly of the State of Nevada, That Assembly Standing Rule 94 is hereby amended to read as follows:

Privilege of the Floor and Lobbying.

No person, except Senators, *former Assemblymen* and state officers, [shall] *may* be admitted at the bar of the Assembly, except by special invitation on the part of some member; but a majority may authorize the Speaker to have the Assembly cleared of all such persons. No person [shall] *may* do any lobbying upon the floor of the Assembly at any time, and it [shall be] *is* the duty of the Sergeant at Arms to remove any person [or persons] violating any of the provisions of this rule.

Assemblyman Kovacs moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 422—An Act relating to taxation; imposing a state tax on certain containers; providing its rate and for its collection and enforcement; providing for a reduction of the rate of the local school support tax under certain circumstances and providing an offset of that reduction by transferring excess revenues collected from the tax on

containers to the state distributive school fund, making a continuing appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Francis, Stewart, Bilyeu, Banner, Kerns, Joerg, Coffin, Bourne, Malone, Berkley, Nevin, May, Ham, Beyer, Nicholas, Thompson, Craddock, Dini, Stone, Sedway, Jeffrey, Vergiels, Zimmer, Fay, Brady, DuBois, Bergevin, Price, Sader, Redelsperger, Bogaert, Bremner, Collins, Humke, Kovacs, Swain, Thomas, Marvel, Getto, Schofield and Perry:

Assembly Bill No. 423—An Act relating to crimes and punishments; prohibiting the manufacture and sale of metal-penetrating bullets; enhancing the penalty for crimes committed while using such bullets; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:14 a.m.

ASSEMBLY IN SESSION

At 11:24 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Beyer:

Assembly Bill No. 424—An Act relating to professional engineers; removing the limit on the allowance for subsistence and lodging for members of the board; removing the requirement for oral examination of persons registered in another state or country; increasing and removing certain fees; adding to the documents which must be prepared by professional engineers for public works; and providing other matters properly relating thereto.

Assemblyman Beyer moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 425—An Act relating to the property tax; requiring the repossessor of a mobile home or slide-in camper to pay any tax owing upon repossession; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 426—An Act relating to mobile home parks; requiring full-time caretakers in parks with more than 100 mobile home lots; requiring landlords to meet with tenants to hear complaints and suggestions; requiring landlords to pay interest on tenants' deposits; making various other changes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 427—An Act relating to trial by jury; authorizing use of a jury in a criminal action only if the crime is punishable by more than 6 months' imprisonment or a fine of more than $1,000; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 428—An Act relating to certified psychologists; providing that certified psychologists, as well as physicians, may conduct examinations and make determinations concerning the sanity, mental health or competency of persons for certain statutory purposes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 429—An Act relating to larceny; including the use of a card or other device for automatically withdrawing or transferring money in a financial institution to obtain money to which the user is not entitled; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 430—An Act relating to landlords and tenants; requiring notices to quit to be served by a sheriff or constable; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 82.

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

Motion carried.

Senate Bill No. 185.

Assemblyman Jeffrey moved that the bill be referred to the Concurrent Committees on Natural Resources, Environment and Agriculture and Ways and Means.

Motion carried.

Senate Bill No. 199.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 144.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 195.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 196.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 358.

Bill read second time, ordered engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 211, 308, 312; Senate Bills Nos. 41, 53, 121, 123 and 139 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Swain, Banner, Bourne, Coffin, Sader and Zimmer:

Assembly Bill No. 431—An Act relating to group insurance; requiring an employer to give notice to his employees before he stops paying premiums for policies of group life or health insurance; requiring the employer to pay for individual policies if he fails to give such notice; and providing other matters properly relating thereto.

Assemblyman Swain moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 180; Senate Bills Nos. 125, 126.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Stacy Horn and Mr. Steve Coulter.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. June Herrman.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lanette Westerland and fourth grade students from Grace Bordewich School, Carson City, Nevada: Jason Ebert, Tom Ellis, Bryan Harris, Mike Kazokas, Ian Maple, Don Mewes, Chuck Miller, Dana Schoefer, Shawn Wilson, Debby Bachman, Tammi Cessna, Jessica Halstead, Christine Kizer, Michelle Lee, Jennifer Lehman, Christina McEntee, Alicia Montgomery, Tonia Oberlin, Jeanne Rivera, Karey Sallee, Kim Stossel, Shannon Bilbray and Nona May.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Karen Lehman.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to students from Battle Mountain High School, Battle Mountain, Nevada: Mike Tate, Coxie Roberts, Janice Franks, Ruth Miller, Kathy Thielen, Dee Eacret, Virginia Phillips, Willie Marvel, Jill Ancho, Maite Narvaiza, Paul Scovil, Walter Chisum, Wynona Killian, Begona Narvaiza, Christi Smith, Tammy Martin, Lana Farr, Joe Craig, Ed Thomsen, Ken Woodland, Karl Phalan, Kenneth Randall, Chela Naldioia, Toma Chavez, Wes Gray, Jim Anexander, Mike Longchamps, Lairy Caudell, Rhonda Morrisen, Stephanie Ostrander, Kim Walters, Denise Pearce, Lori Sego, Tim Wilkie, Patricia Price, Jamie Edens, Ricky Rogers, Terry Penola, Tom Pellini, Joe Elquist, Chris Heathman, Greg Leshikar, Amy Marvel, John Martin, Shawn Farnsforth, Shauna Flores, Claudette Ramos, Annette Burton, Becky McKinlay and Rachelle Robertson.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Barbara Burgess.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Mark E. Gilliam, Jerry Dale Williams, Jerry O. Williams, Ms. Michelle Williams, Barbara Williams and Ruth Redelsperger.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, March 29, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:47 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-SECOND DAY

CARSON CITY (Tuesday), March 29, 1983

Assembly called to order at 11:03 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all,

As this week, which many observe as "Holy", and others as Passover continues, we all earnestly seek after the way in which you would have us walk this day.

Help us so to see it and so to walk it, that, whatever our particular calling, all the people of our beloved state, and you, may be well served and well pleased with us, this day.

Lord, in your mercy, hear and accept and answer this our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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

Assemblyman Coffin moved that Assembly Bill No. 287 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Coffin.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Transportation, to which was referred Assembly Bill No. 167, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 19, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 114, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 280, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Government Affairs.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 311, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 28, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 80, 111, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 228.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 151, 182.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 7, 38.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 21.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 21.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 151.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 182.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 228.

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

Motion carried.

By Assemblymen Banner and Thompson:

Assembly Bill No. 432—An Act relating to industrial insurance; removing requirement of indigency for representation by the state industrial attorney; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Banner and Thompson:

Assembly Bill No. 433—An Act relating to industrial insurance; prohibiting an employer from requiring an employee to waive the confidentiality of his medical records; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblyman Banner (by request):

Assembly Bill No. 434—An Act relating to industrial insurance; requiring advance notice before an insurer must make a file available for inspection; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblyman Banner (by request):

Assembly Bill No. 435—An Act relating to workman's compensation; removing the requirement for compulsory coverage of musicians; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 254.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 294.

Amend section 1, page 1, line 3, by deleting "*physician or other*".

Amend section 1, page 1, line 5, after "*for the*" by inserting "*approved*".

Amend section 1, page 1, by deleting lines 7 through 12 and inserting:

"2. *The insurer is liable for all charges for approved services if the charges do not exceed:*

(a) The fees established in accordance with NRS 616.412 or the usual fee charged by that person or institution, whichever is less; and

(b) The charges provided for by the contract between the provider of health care and the insurer.

3. If a provider of health care or an insurer violates the provisions of this section, the administrator may impose an administrative fine not to exceed $250 for each violation.".

Amend sec. 4, page 2, line 13, by deleting: "[person engaged] *minor*" and inserting "person [engaged]".

Amend sec. 4, page 2, line 24, by deleting: "month, and [shall be]" and inserting: "month [, and shall be] *or his actual remuneration, whichever is greater, and*".

Amend the bill as a whole by deleting section 6 and renumbering sections 7 and 8 as sections 6 and 7.

Amend sec. 7, page 4, line 23, after "appears" by inserting ",".

Amend sec. 7, page 4, line 23, after "subpena" by inserting: "*which has been issued pursuant to this chapter,*".

Amend sec. 7, page 4, line 31, by deleting the bracket.

Amend sec. 7, page 4, line 33, by deleting: "[state treasury] *insurer*" and inserting "state treasury".

Amend sec. 7, page 4, line 35, after "investigated." by inserting: "] *The appeals officer, hearing officer or administrator shall:*

(a) Authorize payment from his administrative budget of the fees and mileage due to such a witness; or

(b) Impose those costs upon the party at whose instance the witness was subpenaed or, for good cause shown, upon any other party.".

Amend the bill as a whole by adding a new section, designated section 8, preceding section 9, to read as follows:

"Sec. 8. NRS 616.412 is hereby amended to read as follows:

616.412 1. All fees and charges for accident benefits are subject to regulation by the department and must not exceed such fees and charges as prevail in the same community for similar treatment of injured persons of like standard of living.

2. *Any fee schedule adopted pursuant to this section must not establish maximum fees and charges which are less than the statistical mode of the fees and charges billed in the same community for similar treatment of injured persons in similar facilities. The schedule must be reviewed at least annually.*

3. The department may adopt reasonable regulations necessary to carry out the provisions of this section.

4. For the purposes of this section:

(a) Clark County comprises one community;

(b) Washoe and Douglas counties and Carson City comprise one community; and

(c) Together, the remaining counties in the state comprise one community.".

Amend the bill as a whole by deleting section 10 and renumbering section 11 as section 10.

Amend the bill as a whole by deleting section 12 and renumbering sections 13 and 14 as sections 11 and 12.

Amend sec. 13, page 8, line 11, by deleting "*If, after the*".

Amend sec. 13, page 8, by deleting lines 12 through 15.

Assemblyman Fay moved the adoption of the amendment.

Remarks by Assemblyman Fay.

Amendment adopted.

Assemblyman Fay moved that Assembly Bill No. 254 be re-referred to the Committee on Labor and Management.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 324.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 303.
Amend the bill as a whole by deleting section 2, and renumbering section 3 as section 2.
Amend the title of the bill by deleting the third and fourth lines and inserting: "time; and providing other matters properly".
Amend the summary of the bill to read as follows: "Limits application of good time to eligibility for parole.".
Assemblyman Stewart moved the adoption of the amendment.
Remarks by Assemblyman Stewart.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Assemblyman Stewart moved that the Assembly recess subject to the call of the Chair.
Motion carried.

Assembly in recess at 11:15 a.m.

ASSEMBLY IN SESSION

At 11:23 a.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 84.
Bill read third time.
Remarks by Assemblyman Chaney.
Roll call on Assembly Bill No. 84:
YEAS—41.
NAYS—None.
Absent—Price.

Assembly Bill No. 84 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 144.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Assembly Bill No. 144:
YEAS—41.
NAYS—None.
Absent—Price.

Assembly Bill No. 144 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 195.
Bill read third time.
Remarks by Assemblyman Marvel.
Roll call on Assembly Bill No. 195:

YEAS—42.
NAYS—None.

Assembly Bill No. 195 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 196.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Assembly Bill No. 196:

YEAS—42.
NAYS—None.

Assembly Bill No. 196 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 211.
Bill read third time.
Remarks by Assemblymen Sader, Kovacs, Getto, Schofield, Price, Thomas and Bilyeu.
Assemblyman Bremner moved that Assembly Bill No. 211 be taken from the General File and re-referred to the Committee on Elections.
Remarks by Assemblymen Sader, Bremner and Getto.
Assemblyman Bremner withdrew his motion.
Assemblyman Getto moved that Assembly Bill No. 211 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried on a division of the house.

Assembly Bill No. 213.
Bill read third time.
Remarks by Assemblymen Sader, Bergevin, Thomas, Schofield, Swain, Sedway, Craddock, Dini, Chaney, Beyer, Price and Kovacs.
Assemblymen Schofield, Dini and Thompson moved the previous question.
Motion carried.
The question being on the passage of Assembly Bill No. 213.
Roll call on Assembly Bill No. 213:

YEAS—16.
NAYS—Bergevin, Bilyeu, Bogaert, Brady, Bremner, Chaney, Collins, Craddock, DuBois, Fay, Francis, Getto, Jeffrey, Joerg, Kerns, Kovacs, Marvel, May, Nevin, Perry, Price, Redelsperger, Schofield, Sedway, Stone, Thomas—26.

Assembly Bill No. 213 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 1:00 p.m.

Assembly in recess at 12:03 p.m.

ASSEMBLY IN SESSION

At 1:10 p.m.
Mr. Speaker presiding.
Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 29, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 150, 204, 264, 286.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 125, 160, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Joint Resolution No. 1, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 2 of the 61st Session.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 225.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Price, Dini, Thompson, Redelsperger, Humke, Berkley, Craddock, Kerns, Bilyeu, Swain, Francis, Zimmer, Joerg, Coffin, Sedway, DuBois, Chaney, Beyer, Nicholas, Schofield, Brady, Jeffrey, Stewart, Getto, May, Ham, Bogaert, Banner, Fay, Bourne, Stone, Nevin, Kovacs, Bremner, Marvel, Malone, Collins, Perry, Bergevin, Sader, Thomas and Vergiels:

Assembly Concurrent Resolution No. 22—Declaring the week of April 6, 1983, as Nevada Thunderbird Week.

WHEREAS, The famous Air Demonstration Squadron of the United States Air Force, known worldwide as the Thunderbirds, has been an integral part of the State of Nevada for the past 27 years; and

WHEREAS, The Thunderbirds have performed their precise maneuvers with extreme skill in 45 countries throughout the Free World; and

WHEREAS, These "Ambassadors in Blue" have won the respect and admiration of some 155 million people who have witnessed their daring performances; and

WHEREAS, The 125 men and women that constitute the Thunderbird team exhibit the qualities of professionalism, dedication and patriotism that reflect the best that is this nation; and

WHEREAS, Nevadans are proud that Nellis Air Force Base in North Las Vegas provides the home base for the Thunderbirds; and

WHEREAS, The Thunderbirds recognized the friendship and support of Nevadans by opening their official 1983 air demonstration schedule, exhibiting the F-16 "Fighting Falcon" aircraft, at Nellis Air Force Base on April 2; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the week of April 6, 1983, is declared Nevada Thunderbird Week; and be it further

Resolved, That a copy of this resolution be transmitted by the legislative counsel to Major James D. Latham, Commander/Leader of the U.S. Air Force Air Demonstration Squadron, Colonel Michael C. Kerby, Commander of the 57th Fighter Weapons Wing, Major General Jack I. Gregory, Commander of the Tactical Fighter Weapons Center, General W. L. Creech, Commander of the Tactical Air Command and General Charles A. Gabriel, Chief of Staff of the U.S. Air Force.

Assemblyman Price moved the adoption of the resolution.
Remarks by Assemblyman Price.
Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Jeffrey:
Assembly Bill No. 436—An Act relating to blind vendors; providing that purchases made and contracts executed in connection with the operation of vending stands are exempt from the State Purchasing Act and from formal requirements relating to independent contracts; and providing other matters properly relating thereto.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Senate Bill No. 225.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Transportation.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 234.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 234:
YEAS—39.
NAYS—None.
Absent—Bremner, Joerg, Marvel—3.
Assembly Bill No. 234 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 289.
Bill read third time.
Remarks by Assemblyman Thomas.
Roll call on Assembly Bill No. 289:
YEAS—35.
NAYS—Bourne, DuBois, Nevin, Stewart—4.
Absent—Bremner, Joerg, Marvel—3.
Assembly Bill No. 289 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 308.
Bill read third time.
Remarks by Assemblyman Redelsperger.

Roll call on Assembly Bill No. 308:

YEAS—39.
NAYS—None.
Absent—Bremner, Joerg, Marvel—3.

Assembly Bill No. 308 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 312.
Bill read third time.
Remarks by Assemblyman May.
Roll call on Assembly Bill No. 312:

YEAS—39.
NAYS—None.
Absent—Bremner, Joerg, Marvel—3.

Assembly Bill No. 312 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 329.
Bill read third time.
Remarks by Assemblyman Berkley.
Roll call on Assembly Bill No. 329:

YEAS—38.
NAYS—Bilyeu.
Absent—Bremner, Joerg, Marvel—3.

Assembly Bill No. 329 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 358.
Bill read third time.
Remarks by Assemblyman Fay.
Roll call on Assembly Bill No. 358:

YEAS—39.
NAYS—None.
Absent—Bremner, Joerg, Marvel—3.

Assembly Bill No. 358 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 41.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Senate Bill No. 41:

YEAS—40.
NAYS—None.
Absent—Joerg, Marvel—2.

Senate Bill No. 41 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 53.
Bill read third time.
Remarks by Assemblymen Nicholas, Kovacs and Sedway.
Roll call on Senate Bill No. 53:
YEAS—38.
NAYS—Coffin, Ham—2.
Absent—Joerg, Marvel—2.

Senate Bill No. 53 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 121.
Bill read third time.
Remarks by Assemblyman Redelsperger.
Roll call on Senate Bill No. 121:
YEAS—40.
NAYS—None.
Absent—Joerg, Marvel—2.

Senate Bill No. 121 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 123.
Bill read third time.
Remarks by Assemblyman DuBois.
Roll call on Senate Bill No. 123:
YEAS—40.
NAYS—None.
Absent—Joerg, Marvel—2.

Senate Bill No. 123 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 139.
Bill read third time.
Remarks by Assemblyman Collins.
Roll call on Senate Bill No. 139:
YEAS—41.
NAYS—None.
Absent—Marvel.

Senate Bill No. 139 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 287.
Bill read third time.
The following amendment was proposed by Assemblyman Coffin:
Amendment No. 316.
Amend section 1, page 1, by deleting lines 5 and 6 and inserting: "*for not less than 1 year nor more than 6 years, or by a fine of not more than $5,000, or by*".

Amend the title of the bill by deleting the first line and inserting: "An Act relating to sexual penetration of a corpse; providing a".

Assemblyman Coffin moved the adoption of the amendment.

Remarks by Assemblymen Coffin, Bilyeu, Stone, Francis, Stewart and Swain.

Amendment lost.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 287:

YEAS—36.

NAYS—Chaney, Coffin, Francis, Kovacs—4.

Absent—Marvel.

Not voting—Bilyeu.

Assembly Bill No. 287 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 437—An Act relating to governmental finance; abolilshing the interim legislative committee on local governmental finance; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 15.

The following Senate amendment was read:

Amendment No. 239.

Amend section 1, page 1, line 13, by deleting "[, or" and inserting ", [or".

Amend section 1, page 1, line 14, after the bracket by inserting: "*alone or with others,*".

Amend section 1, page 1, by deleting line 17 and inserting: "degree [.] , *and the person charged:*

(a) Killed or attempted to kill the person murdered; or

(b) Knew or had reason to know that life would be taken or lethal force used.".

Amend the title of the bill to read:

"An Act relating to murder; limiting the circumstances under which the death penalty may be imposed for its commission in the course of another felony; and providing other matters properly relating thereto.".

Amend the summary of the bill to read: "Limits imposition of death penalty for murder committed in course of another felony.".

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 15.

Remarks by Assemblyman Stewart.

Motion carried.
Bill ordered enrolled.

Assembly Bill No. 186.
The following Senate amendment was read:
Amendment No. 236.
Amend section 1, page 1, line 8, by deleting "Deferred judgement" and inserting: "[Deferred judgment] *Suspension of sentence*".
Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 186.
Remarks by Asssemblyman Stewart.
Motion carried.
Bill ordered enrolled.

Assembly Bill No. 111.
The following Senate amendment was read:
Amendment No. 261.
Amend section 1, page 2, by deleting lines 5 and 6 and inserting: "*A person who is not a claimant must not be admitted to a facility if he is terminally ill or referred*".
Assemblyman Banner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 111.
Remarks by Assemblyman Banner.
Motion carried.
Bill ordered enrolled.

Assembly Joint Resolution No. 1.
The following Senate amendment was read:
Amendment No. 186.
Amend the resolution, page 1, line 1, by deleting "adults" and inserting: "or physically handicapped persons".
Amend the resolution, page 1, line 11, after "retarded" by inserting "or physically handicapped".
Amend the resolution, page 1, line 16, by deleting "adult" and inserting "or physically handicapped".
Amend the resolution, page 1, line 20, after "retarded" by inserting "or physically handicapped".
Amend the resolution, page 2, line 2, after "retarded" by inserting "or physically handicapped".
Amend the resolution, page 2, line 8, by deleting "adults" and inserting: "or physically handicapped persons".
Amend the resolution, page 2, line 17, after "retarded" by inserting "or physically handicapped".
Amend the resolution, page 2, line 27, after "retarded" by inserting "or physically handicapped".
Amend the resolution, page 2, line 34, by deleting "adults" and inserting: "or physically handicapped persons".
Amend the title of the resolution, third line, after "retarded" by inserting "or physically handicapped".

Assemblyman Chaney moved that the Assembly concur in the Senate amendment to Assembly Joint Resolution No. 1.

Remarks by Assemblyman Chaney.

Motion carried.

Resolution ordered enrolled.

Assembly Bill No. 80.

The following Senate amendment was read:

Amendment No. 266.

Amend section 1, page 1, line 5, by deleting "*limited procedures in a laboratory*" and inserting: "*specific laboratory procedures prescribed by the board*".

Amend section 1, page 1, line 6, by inserting after the period: "*The board shall adopt regulations governing the performance of these procedures.*".

Amend the title of the bill, second line, by deleting "limited procedures therein" and inserting: "laboratory procedures prescribed by the state board of health".

Amend the summary of the bill to read as follows: "Authorizes certain nurses to perform laboratory procedures under supervision.".

Assemblyman Chaney moved that the Assembly concur in the Senate amendment to Assembly Bill No. 80.

Remarks by Assemblyman Chaney.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 125.

The following Senate amendment was read:

Amendment No. 245.

Amend section 1, page 1, by deleting lines 2 and 3 and inserting: "thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *No licensed dentist may administer or supervise directly the administration of general anesthesia to dental patients unless he has been issued a permit authorizing him to do so by the board.*

Sec. 3. *The board may issue a permit authorizing a licensed dentist to*".

Amend section 1, page 1, line 6, by deleting "*may*" and inserting "*shall*".

Amend the bill as a whole by renumbering sections 2 and 3 as sections 4 and 5.

Amend the title of the bill, first line, by deleting "authorizing" and inserting: "prohibiting licensed dentists from administering general anesthesia without a permit; requiring".

Amend the summary of the bill, first line, by deleting "Authorizes" and inserting "Requires".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 125.

Remarks by Assemblymen Jeffrey and Sader.

Motion carried.

Bill ordered enrolled.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 438—An Act relating to plants for treatment of waste water; requiring certification of operators of publicly owned plants; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Speaker announced that there will be a Joint Session of the Senate and Assembly, Thursday, April 7, 1983, 11:30 a.m., for the purpose of hearing Chief Justice Noel Manoukian of the Supreme Court of the State of Nevada.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 241; Senate Bills Nos. 7, 29, 38, 190.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Helen Wright and Patsy Redmond.

On request of Assemblyman Bremner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Janet K. Bursey.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Tarah Holt.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Forrest Bogaert.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, March 30, 1983, at 10:45 a.m.

Motion carried.

Assembly adjourned at 2:04 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-THIRD DAY

CARSON CITY (Wednesday), March 30, 1983

Assembly called to order at 10:50 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all,

Again we come to you, in this week called "Holy," to ask that you be with us and among us.

This will be a particularly busy day for those gathered here in this chamber as our representatives. So we ask for a special blessing upon them, that they might be given a special measure of patience and knowledge and wisdom and courage as the rest of this legislative day unfolds.

Lord, in your mercy, bless us all, be with us all, and hear this our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

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

Assembly in recess at 10:53 a.m.

ASSEMBLY IN SESSION

At 11:08 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Assembly Bill No. 167 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Thompson moved that Assembly Bill No. 252 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 61, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini, Getto and Jeffrey:

Assembly Joint Resolution No. 24—Urging the United States Congress to enact legislation to require imported foreign goods to meet domestic standards for safety.

Assemblyman Dini moved that the resolution be referred to the Committee on Commerce.

Motion carried.

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 23—Expressing the mutual consent of the Assembly and Senate to an adjournment from Thursday, March 31, to Tuesday, April 5, 1983.

Assemblyman Jeffrey moved the adoption of the resolution.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Bourne, Kovacs, Banner, Getto, Vergiels, Nevin, Marvel, Malone, Price, Collins, Bergevin, Sader, Craddock, Redelsperger, Humke, Kerns, Bilyeu, Francis, Joerg, Sedway, DuBois, Chaney, Perry, Jeffrey, Fay, Stone, Schofield, Coffin, Zimmer, Swain and Thomas:

Assembly Bill No. 439—An Act relating to health care; creating the office of the patient's advocate within the office of the attorney general; providing the powers and duties of the patient's advocate; creating a legislative committee to review the performance of the patient's advocate; authorizing the employment of private legal counsel by the board of health and the commissioner of insurance for cases in which the patient's advocate is a party or intervener; and providing other matters properly relating thereto.

Assemblyman Bourne moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Banner (by request):

Assembly Bill No. 440—An Act relating to unemployment compensation; requiring a 1-week waiting period before an unemployed person is eligible to receive benefits, except after a major disruption of his employer's business; narrowing eligibility requirements; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblyman Francis:

Assembly Bill No. 441—An Act relating to rented dwellings; increasing the notice required for an increase of rent; and providing other matters properly relating thereto.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 442—An Act relating to the department of motor vehicles; requiring that the expenses of administering the drivers' license division of the department of motor vehicles be paid from and its revenues paid into the state highway fund; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 443—An Act relating to the division of mental hygiene and mental retardation; authorizing temporary advances from the state general fund until money is received from the Federal Government; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen DuBois, Sedway, Kerns, Craddock, Joerg, Swain, Zimmer, Nevin and Bogaert:

Assembly Bill No. 444—An Act relating to peace officers; including agents of the Drug Enforcement Administration when making arrests for violations of Nevada law; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 19.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 280.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 319.

Amend section 1, page 1, line 2, by deleting "5," and inserting "6,".

Amend sec. 2, page 1, line 3, by deleting "*5,*" and inserting "*6,*".

Amend sec. 2, page 1, lines 4 and 5, by deleting "*requires:*

1. "Employee"" and inserting "*requires, "employee"* ".

Amend sec. 2, page 1, line 7, by deleting "*(a)*" *and inserting "1.*".

Amend sec. 2, page 1, line 9, by deleting "*(b)*" and inserting "*2.*".

Amend sec. 2, page 1, line 11, by deleting "*(c)*" and inserting "*3.*".

Amend sec. 2, page 1, line 14, by deleting "*(d)*" and inserting "*4.*".

Amend sec. 2, page 1, line 15, by deleting "*5,*" and inserting "*6,*".

Amend sec. 2, page 1, by deleting lines 17 and 18.

Amend sec. 3, page 2, by deleting line 1 and inserting:

"Sec. 3. *1. An employees' organization appointed by the legislature shall act as the agent and*".

Amend sec. 4, page 2, line 24, by deleting the period and inserting: "*, but must not extend for more than 2 years after its effective date.*".

Amend sec. 5, page 2, by deleting lines 30 and 31 and inserting: "*from a list of seven proposed factfinders. The governor and the employees' organization shall each nominate three to the list and the secretary of state shall nominate one. The parties shall select their factfinder*".

Amend sec. 5, page 2, line 34, by deleting "*The governor shall*" and inserting "*The right to*".

Amend sec. 5, page 2, line 35, by deleting the period and inserting: "*must be determined by lot.*".

Amend sec. 5, page 2, line 37, by deleting "*30 days of*" and inserting "*10 days after*".

Amend sec. 5, page 2, by deleting line 43 and inserting:

"*5. No compensation may be paid to the factfinder for his services.*".

Amend sec. 5, page 2, line 44, by deleting: "*cost of the factfinding.*".

Amend the bill as a whole by adding new sections, designated sections 6 and 7, following section 5, to read as follows:

"Sec. 6. *The only issues which are subject to factfinding are:*

1. Salaries and wages or other forms of direct monetary compensation.

2. Sick leave and its use.

3. Vacation leave and its use.

4. Holidays.

5. Other paid or unpaid leaves of absence.

6. Insurance coverage.

7. Total hours of work required of an employee on each work day or week.

8. Total number of days of work required of an employee in a year.

9. Procedures for the discharge and discipline of employees.

10. The method used to classify and examine employees.

11. Procedures for arbitration and the resolution of grievances.

12. Procedures for laying off employees and reducing the work force.

Sec. 7. For the period from July 1, 1983, to June 30, 1985, the State of Nevada Employees' Association is appointed as the employees' organization for the purposes of sections 2 to 6, inclusive, of this act.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Assemblyman Dini moved that Assembly Bill No. 280 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 311.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 318.

Amend sec. 3, page 2, by deleting line 12 and inserting "*that duty.*".

Amend sec. 3, page 2, by deleting line 15 and inserting: "[or portion] thereof, under his hand . [, verified by the official seal".

Amend sec. 3, page 2, line 16, by deleting the open bracket.

Amend sec. 8, page 3, line 41, by deleting "law library association" and inserting: "[law library association] *library*".

Amend sec. 8, page 3, line 43, by deleting "board," and inserting "board . [,".

Amend sec. 8, page 4, line 2, after "effect." by inserting a closed bracket.

Amend the bill as a whole by renumbering sections 12 and 13 as sections 13 and 14 and adding a new section, designated section 12, following section 11, to read as follows:

"Sec. 12. NRS 380.153 is hereby amended to read as follows:

380.153 1. The state librarian shall adopt by regulation a list of legal books and materials which are considered primary sources and which he has determined should be available in every county to the inhabitants of that county.

2. Each board of county commissioners shall ensure that all of the legal books and materials listed by the state librarian are *accessible to the inhabitants of the county:*

(a) By making them available for use during normal business hours [by the inhabitants of the county,] in either the law library or a public library [.] *; or*

(b) Pursuant to an agreement with another library which has them.

The place where they are located must be plainly marked as an area accessible to the general public.".

Amend sec. 12, page 5, by deleting line 13 and inserting "*business hours.*".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 114.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 252.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 252:

YEAS—42.

NAYS—None.

Assembly Bill No. 252 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Craddock and Chaney as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Senator Hecht.

The President of the Senate, the President pro Tempore of the Senate and Members of the Senate appeared before the bar of the Assembly.

Mr. Speaker invited the President and President pro Tempore of the Senate to the Speaker's rostrum.

Mr. Speaker invited the Members of the Senate to chairs in the Assembly.

IN JOINT SESSION

At 11:29 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.

The President of the Senate appointed a Committee on Escort consisting of Senator Raggio and Assemblyman Malone to wait upon Senator Hecht and escort him to the Assembly Chamber.

The Committee on Escort in company with The Honorable Chic Hecht, United States Senator for Nevada, appeared before the bar of the Assembly.

The Committee on Escort escorted the Senator to the rostrum.

The President of the Senate welcomed the Senator and invited him to deliver his message.

The Senator delivered his message as follows:

Mr. President, Mr. Speaker, Distinguished Members of the Legislature, Distinguished Justices of the Supreme Court and my fellow Nevadans.

I welcome this opportunity to again visit Carson City and the Nevada Legislature where I served for eight years in the Senate. Those years resulted in many friends and many pleasant memories. As I look around the room, Virgil, Keith, Bill, I can't mention everyone, but it feels good to be back home. The experience I gained in the State Senate, I can tell you, is helping me very much now in Washington.

And for a time when I was in the State Senate, I had the privilege of serving as minority leader. In that capacity I had occasion to work closely with then Governor Paul

Laxalt. We are working closely together now in Washington. You won't see many cancelled votes. Senator Laxalt is a good friend and has been of great help to me in getting settled in office and is a source of counsel and guidance.

After three months on the job, I can tell you this: it's exciting—it's stimulating—it's challenging. I intend to work hard to do a good job for Nevada. I plan to keep in close touch with Nevadans and to offer them the full facilities of my Washington and Nevada offices in helping them solve some of their problems. And I look forward to working with you legislators so that together we can build a better Nevada.

As a State Senator, I remember all too well the frustrations of holding a state office and being unable to do anything for your constituents on a national level. Let me make it absolutely clear, I represent all Nevadans—Republicans, Democrats, Indepenents, and the citizens of our State that did not vote. My offices in Carson City, Reno, and Las Vegas are available to all of you at any time.

I had planned to appear before you today in full indian headdress, but as of now, Bill Farr is still unable to find one.

Seriously, the headdress was to set off the western decor of my new office in the Hart Building. That's the new marble home for 50 U.S. Senators that has been described as a $137 million monument to senatorial extravagance. While showing this building, a friend remarked, no wonder the government is broke. Of course, I didn't vote for it, but since I was assigned office space there, I'll welcome the opportunity to make my new office a tourist showplace for the State. Many oldtimers and some of our older hotels are lending the office many relics and items of historical significance. These are not for my personal use, but for the State. We will have a weekly billboard of all Nevada events, rural and city. We think we're going to have one of the most highly publicized and unusual offices which will become the Washington bureau for the Nevada tourism industry. We want people to come to Nevada. You know, if we promote our State well enough, our message may be carried all the way to the Supreme Court!

Your junior Senator has been very fortunate to land assignments on the Banking, Housing and Urban Affairs Committee and the Energy and Natural Resources Committee. With these two major committees, I'll have input into legislation impacting all Nevadans whether they live in the city or a cow county. With so much of our land under federal control, I'm especially excited about the Energy Committee which is the old Interior Comittee.

The Banking Committee not only deals with interest rates and other financial legislation, but also with housing issues. Mortgage revenue bonds have proven their value to the important housing industry and to the home buyer. In Nevada, nearly 5,000 mortgages, totaling more than $221 million, have enabled many families to enter the single-family market. I am currently cosponsoring the Housing Finance Opportunity Act of 1983 which will eliminate the sunset provisions for these bonds. This bill will simply allow us to continue this valuable program.

Since 1968, the Federal Government has been competing with private industry by providing crime, riot and flood insurance. As chairman of the insurance subcommittee of the Banking Committee, I will be conducting hearings April 8 to determine the future of the Federal Government's involvement in the insurance business.

The Reagan Administration has requested that the riot and crime insurance programs not be reauthorized this year and I tend to agree. These programs benefit only a select few states and there is no reason why Uncle Sam should foot the bill for what is essentially a state matter. Recent heavy rains have served to remind us that flooding can pose a severe problem in portions of Nevada. We will be hearing testimony from various government and private concerns on the operation of the flood insurance program.

I continue to support the MX Missile as a vital part of our triad defense system. Modern technology could well make our submarines and manned bombers too vulnerable to Soviet missiles and a fixed based missile system is essential to deter the threat of a nuclear holocaust. I've met with members of the Bipartisan Commission on Strategic Forces and am impressed with their knowledge and dedication. I'm confident they will come up with some workable basing recommendations.

El Salvador has become an international issue, but it can have an impact close to home. San Salvador, the capital, is only 1,896 miles from Washington. By comparison, San Francisco is 2,878 miles away. I support the President to provide economic assistance to the government which has been elected by the people. If we are unable to contain the spread of Communist aggression from Cuba, other Central American Countries

will fall, including Mexico, and millions of refugees will begin pouring across our border causing chaos and economic hardships for our State.

As you know the Senate passed a jobs bill on March 17. Personally, I feel that the key to any jobs bill is training. The day of the smokestack industry is rapidly becoming a thing of the past. We need to prepare our work force for the technological revolution. In this regard, I would like to see our State's community colleges involved. The community colleges should be partnership agencies to diversify and expand our work force to make Nevada more attractive to new industry. Our universities will be a great asset in training in other fields. Remember, in our State we have the free world's largest laboratory—Nevada Test Site.

Senator Laxalt and I have encouraged the Department of Energy to resume the support for geothermal development projects in Nevada. One single project in Reno, if developed, could save a single hotel approximately $750,000 a year in energy costs. Tax advantages for geothermal development will expire the end of 1985. I will move to have this date extended to allow more time for projects to begin and to be completed as early as possible.

Senator Laxalt and I have cosponsored legislation to enhance boating and fishing opportunities at the Ruby Lakes National Wildlife Refuge. In addition, we've urged Secretary Watt to resolve a lawsuit that has curtailed recreational uses of the popular Ruby Lake Wildlife Refuge.

We're also working to resolve a conflict between a real estate developer in Las Vegas and parties seeking to protect endangered species at Ash Meadows.

We've been pressing the FAA to provide some funds to resurface a deteriorating runway at the Battle Mountain Airport in Lander County.

We've cosponsored legislation to transfer a munitions housing facility to Mineral County.

And we've gotten Nevada officials of the Colorado River Commission together with Secretary Watt and Bureau of Reclamation Chief Broadbent to settle differences over a repayment contract.

These are not exactly banner headline stories—but give you an idea of some of the behind-the-scenes problems Sentor Laxalt and I face every day.

One of the most frequent questions I'm asked is what has surprised me the most about being a United States Senator. Ironically, the most pleasant surprise is the same as I experienced entering this Legislature. And that is the excellent caliber of the people who serve our State Government. When I came to Washington, I was again very much impressed with the high quality of my colleagues and administration officials. Not only have I been impressed by people like George Shultz, Caspar Weinberger, Don Regan and other Cabinet Members, but up and down the line, the Federal Government is filled with bright, hard-working, dedicated individuals who are trying to do the right thing.

I've frequently told my staff that, as impressive as the Secretary of State is, the most important person who walks into my office is a Nevadan. On the day we were sworn in, I established an "open door" policy and set as my number one priority: the people from this State.

You know this Senate seat does not belong to Chic Hecht. It does not belong to one person or one political party. It belongs to the people and I want to hear from as many Nevadans as possible. I invite your views. I want people to care about their government. For too long, too many people have felt cut off from their government. They have become frustrated and a majority of Americans don't even bother to vote because they don't believe it will make a difference. I'm here to tell you they can—and are already making a difference.

When I walk up the steps of our Nation's Capitol or enter the stately Senate Chamber, I never cease to feel honored and as humble as the son of a Russian-Jewish immigrant can feel. I don't believe that patriotism ever goes out of style. Rather, I agree with Lord Acton who said: "patriotism is in political life what faith is in religion."

It has always been my theory that the best government is that which is closest to the people. I don't believe that a bunch of highly-paid paper-pushers know what's best for Nevada. We've had too much of that in the past. Nevada's destiny should be in your hands. And your hands should not be tied by an inefficient and insensitive federal bureaucracy. That's what the President believes, that's what the people want and that's what they're going to get.

Thanks to the new course set by President Reagan, one of our priorities is to get rid of all the needless, wasteful, inflationary regulations we can. You know there are 57

words in the Lord's Prayer, 266 words in the Gettysburg Address, and in the U.S. Department of Agriculture regulations on cabbage, there are 26,911 words. We're finally getting Uncle Sam off our back and back on track!

Critics have accused me of being a so-called "rubber stamp" for President Reagan. Well, be assured if the White House is pushing a proposal that would hurt Nevada, you can bet that Paul Laxalt and I will be quick to tell the President. But let me remind those critics that the crux of my campaign was my support for President Reagan's new direction. My campaign theme was whether Nevadans wished to continue this direction or return to the tax and spend politics of the past. Two years ago, inflation, the cruelest of all taxes, was 13½ percent. Today it's 13½ percent. After the second World War Germany was faced with such high inflation it took a wheelbarrow full of money to pay for groceries. The wheelbarrow was worth more than the money.

But inflation is not the President's only economic victory. Interest rates have plunged from 21½ percent, two years ago, to 10½ percent, and I predict that by the end of this year, the prime rate will fall to 9 percent and then watch our economy really take off.

The stock market, which is a good barometer of the future, has been booming and America is again respected by friend and foe because we're stronger today than when Mr. Reagan took office.

Harry Truman once said, "Our goal must be—not peace in our time, but peace for all time." If being a "rubber stamp" means fighting to maintain a strong military to insure that our treasured freedoms are preserved, or if being a "rubber stamp" means bringing more government control to state and local officials—then I'm proud to have kept my campaign pledge. I'm proud to be with the President!

I will go on to predict that President Reagan will go down in history as the man who turned this country around, that he will run again and that he will be reelected.

I plan to keep in close touch with Nevada. I want to rely on the common sense of the people of this great State and to use my office in helping our State whenever I can. To that end, I've established advisory committees in counties throughout the State. They are designated to keep me informed about what is going on, what problems and issues have cropped up and how I can best help. I intend to use these committees to the fullest, realizing that you get best views on local issues and many times on national issues from the people back home.

I plan today, for example, to meet with members of those advisory committees so that together we can start off on the right foot in building a better and more productive Nevada.

Thank you again for the courtesy shown me today—in giving me this opportunity to express my views. I'm optimistic about the future of our State and Nation. I think this is the greatest country on earth, and I intend to do my part to keep it that way.

In closing I'd like to quote the words of a man I greatly admire—General Vernon Walters. These words reflect my thinking totally: "I have unbounded faith in the destiny of our great Nation. It is not as the critics have us believe, twilight. It is daybreak. The American dream has only just begun."

Thank you—and God bless you!

Senator Wagner moved that the Senate and Assembly in Joint Session extend a vote of thanks to the Senator for his timely, able and constructive message.

Motion carried.

The Committee on Escort escorted the Senator to the bar of the Assembly.

Assemblyman Jeffrey moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 11:54 a.m.

ASSEMBLY IN SESSION

At 12:01 p.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 88 be returned from enrollment.

Remarks by Assemblyman May.

Motion carried.

Assemblyman May moved that the vote whereby Assembly Bill No. 88 was passed be rescinded.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 88.

Bill read third time.

The following amendment was proposed by Assemblyman May:

Amendment No. 334.

Amend the bill as a whole by renumbering section 2 as section 3 and adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. Section 7 of chapter 60, Statutes of Nevada 1983, is hereby amended to read as follows:

Sec. 7. 1. This section and sections 1, 3 and 6 of this act shall become effective upon passage and approval.

2. Section 4 of this act shall become effective at 12:01 a.m. on July 1, [1983.] *1985.*

3. Sections 2 and 5 of this act shall become effective on July 1, 1986.

4. Sections 1 and 4 of this act expire by limitation on July 1, 1986.".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 15, 80, 111, 125, 150, 186, 204, 264, 286; Assembly Joint Resolution No. 1; Assembly Joint Resolution No. 2 of the 61st Session.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Robert Charles Bell.

On request of Assemblyman Berkley, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Stephanie Hernstadt.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Karen Beyer, Messrs. Kent Beyer, Steven Beyer, Paul Beyer, Scott Beyer and Miss Lisa Beyer.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Karen Oaks, Pat Geary and Mr. Don Bryan.

On request of Assemblyman Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Misses Katrina E. Bourne, Rebecca E. Gunderson and Amanda M. Gunderson.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Donna Person.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Herb Rowntree, Bud Childs, Angelo Petrini and Ms. Jeanne McLaughlin. .

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Carmen Hoyt and Mr. Dick Hoyt.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Angela Sessions and Mr. Gary Rosenberg.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Billie Filippinni, Sharon Andreason, Marian Howard, Shari Horine, Messrs. John Filippinni, Fred Beeman and Lou Peraldo.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jane Maxfield and Marguarite Maxfield.

On request of Assemblyman Perry, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Roger Collins, Mrs. Ann Lynch, Ms. Cheryl Wilkins and Bernice Encinas.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jeanine Church and Jeanne Church.

On request of Assemblymen Thomas and Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Skidmore and students from Eagle Valley Jr. High School, Carson City, Nevada: Joe Allec, Scott DeSelle, Tammy Malzahn, Julie Richards, Freddie Shoemaker, Paul Templin, Gail Dunlap, Paul Bloomfield, Annette Carrillo, Aron Clyde, Don McNeill, Richard Eckert, Nikki Inman, Clark Kramer, Steve Pion, Kristine Flores, Tonya Gardner, Dewey Gionta, Robert Goldsworthy, Albert Martinez, Michelle

Rattray, Chris Reid, Kelley Smith, SuYong Soh, Susan Gregg, Stace Peck, Dale Dunlap, Brenda Colcord, James McFall, Sally Olson, Crystal Dunlap, Nancy Elliot, Donna Bass, Jeanine Ellis and Peter Massman.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, March 31, 1983, at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:09 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-FOURTH DAY

CARSON CITY (Thursday), March 31, 1983

Assembly called to order at 10:35 a.m.

Mr. Speaker pro Tempore presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Douglas C. Thunder.

O Lord, we pause briefly in the midst of this Passover and Holy Week season to give you thanks and praise for the freedom and peace with which you have blessed your people. Our motivations and aspirations, like those of all people, are many and varied—and we are free to act upon them. Help us never to use our freedom to control or reduce the freedom of others. Continue your guidance of these leaders who have been chosen by their fellow citizens. May they be free to deliberate and ponder the important problems before them without the encumbrance of concern for their own welfare or safety. We pray that all their discussions and decisions may benefit all of the people of this great state.

As this holiday weekend begins protect the members of this body and all who travel, that their journeys may be both edifying and enjoyable.

Lord, in your mercy, hear our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 148, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Judiciary, to which was referred Assembly Bill No. 148, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 163, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 173, 174, 198, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 187, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which were referred Assembly Joint Resolutions Nos. 13, 17, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 30, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 39, 84.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 22.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 92, 211.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 11.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 11.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Taxation.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Sedway:

Assembly Bill No. 445—An Act relating to pharmacy; making various administrative changes; and providing other matters properly relating thereto.

Assemblyman Sedway moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Nevin, Schofield, Thomas, Stone, Berkley, Bourne, Nicholas, Malone, Bogaert, Collins, Kerns, Vergiels, Jeffrey, Stewart, Fay, Bergevin, Banner, Ham, Getto, Beyer, Coffin, Zimmer, Swain, Francis, Bilyeu, Sader, Perry, Marvel, Kovacs, Dini, Redelsperger, Humke, Sedway, Thompson, Price, Joerg, Craddock, Brady, DuBois and Chaney:

Assembly Bill No. 446—An Act relating to public employees' retirement; extending the benefits for spouses of deceased retired police officers and firemen to the spouses of deceased retired highway patrolmen; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Dini and Getto:

Assembly Bill No. 447—An Act relating to the state board of health; removing the board's authority to set fees for licensing and inspections by the health division; and providing other matters properly relating thereto.

Assemblyman Dini moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblymen Dini and Getto:

Assembly Bill No. 448—An Act relating to mining claims; making various changes regarding recording and the applicable fees; and providing other matters properly relating thereto.

Assemblyman Dini moved that the bill be referred to the Committee on Economic Development, Tourism and Mining.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 449—An Act relating to governmental finance; increasing the rate of the taxes on intoxicating liquor and insurance premiums; proposing an amendment to the Sales and Use Tax Act of 1955 to provide for excluding from the taxes the value of certain used vehicles, to provide for partial removal of the exemption for occasional sales of vehicles and to remove the exemption on soft drinks and candy; correspondingly amending the Local School Support Tax Law; repealing provisions which lower the rate of certain taxes on retail sales; reducing the amount of reimbursement allowed for collecting such taxes; increasing fees for filing certain corporate documents; requiring nonprofit corporations to file certain lists; revising limitations upon local governmental revenues; transferring a certain portion of the tax on slot machines to the University of Nevada System for its general operations; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 92.

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

Motion carried.

Senate Bill No. 211.

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

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 10:45 a.m.

ASSEMBLY IN SESSION

At 10:49 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Resolution No. 11, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

EDWARD J. KOVACS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Resolution No. 11.
Assemblyman Kovacs moved the adoption of the resolution.
Resolution adopted unanimously.

Assemblyman Bourne moved that Senate Bill No. 61 be taken from the Second Reading File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Bourne.
Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:
Assembly Bill No. 450—An Act relating to vehicle privilege tax; increasing the minimum amount of the tax; and providing other matters properly relating thereto.
Assemblyman May moved that the bill be referred to the Committee on Taxation.
Motion carried.

By the Committee on Government Affairs:
Assembly Bill No. 451—An Act relating to public securities; replacing obsolete references to the Dow Jones Municipal Bond Index with references to the Weekly Bond Buyer's Index of Twenty Bonds and the Index of Revenue Bonds in provisions limiting interest on public securities; and providing other matters properly relating thereto.
Assemblyman Dini moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

By the Committee on Commerce:
Assembly Bill No. 452—An Act relating to the tax on transfers of real property; increasing the amount taxable by including the amount of any liens assumed; shortening the time within which an escrow holder must pay the tax; providing for public inspection of the form used for declaring value; and providing other matters properly relating thereto.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.
Motion carried.

By the Committee on Commerce:

Assembly Bill No. 453—An Act relating to mobile home parks; requiring the adoption of regulations for the testing and licensing of managers; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 454—An Act relating to school buildings; repealing the provisions authorizing a tax on residential construction for the purpose of erecting additions to such buildings; and providing other matters properly relating thereto.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 139, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 19.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 19:

YEAS—42.

NAYS—None.

Assembly Bill No. 19 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 324.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Assembly Bill No. 324:

YEAS—42.

NAYS—None.

Assembly Bill No. 324 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 114.

Bill read third time.

Remarks by Assemblyman Collins.

Roll call on Senate Bill No. 114:

YEAS—42.

NAYS—None.

Senate Bill No. 114 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 106, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Senate Bill No. 35, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker pro Tempore announced that there will be a Joint Recess of the Senate and Assembly, Tuesday, April 5, 1983, 11:30 a.m., for the purpose of hearing Mr. Al Kellers, Jr., National Commander of the American Legion.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 160.

The following Senate amendment was read:

Amendment No. 264.

Amend section 1, page 1, line 5, by deleting "*$150*" and inserting "*$100*".

Amend section 1, page 1, by deleting lines 6 and 7 and inserting: "[an annual] *a* fee of [$50] *$100* on or before the [1st] *last* day of each [calendar] year [.] *to carry on the business for the following year. No fee may be refunded.*".

Assemblyman Banner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 160.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 41, 53, 121, 123, 139.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Gabriel B. Bourne and Nathan E. Bourne.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Gretchen Billow, Stephanie Tyler, Mary Carter and Mr. Donald L. Carter.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Larry Bennett and Kirk Bennett.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lisa Pool.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, April 5, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:10 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE SEVENTY-NINTH DAY

CARSON CITY (Tuesday), April 5, 1983

Assembly called to order at 11:02 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, The Reverend Ronald B. League.

Heavenly Father, we praise you today for your greatness and for your direction and guidance in our lives and in our affairs. We thank you for all your bountiful blessings and for your loving compassion that you bestow upon us every day. We ask today that you grant the members of this Assembly an abundance of your wisdom and an enduring strength, that they may be able to undertake the business before them today. Father, we know that you delight in meeting the needs of your children and we ask you to meet the needs of each person here today. We thank you for the answer to our petitions and for the opportunity of coming before you. We ask all these things in the name of your Son Jesus,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 283, 322, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly No. 230, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Government Affairs.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 328, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 31, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 123.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 23.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 253, 263, 265, 267.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 192, 222, 224, 226.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 22, 23.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 198, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

ALAN GLOVER	PAUL W. MAY,
KEITH ASHWORTH	JAMES W. SCHOFIELD
BOB RYAN	LOUIS W. BERGEVIN
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman May moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 198.

Remarks by Assemblyman May.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 22.

Assemblyman Thomas moved the adoption of the resolution.

Remarks by Assemblyman Thomas.

Resolution adopted unanimously.

Senate Concurrent Resolution No. 23.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Jeffrey.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 455—An Act relating to local government purchasing; raising the threshold for competitive bidding; and providing other matters properly relating thereto.

Assemblyman Dini moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 192.

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

Motion carried.

Senate Bill No. 222.

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

Motion carried.

Senate Bill No. 224.

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

Motion carried.

Senate Bill No. 226.

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

Motion carried.

Senate Bill No. 253.

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

Motion carried.

Senate Bill No. 263.

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

Motion carried.

Senate Bill No. 265.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 267.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 368, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bilyeu moved that Assembly Bill No. 336 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

Assemblyman Berkley moved that Assembly Bill No. 158 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

By the Committee on Economic Development, Tourism and Mining:

Assembly Joint Resolution No. 25—Urging Congress to increase allocations for the support of the United States Travel and Tourism Administration and to enact legislation providing for the waiver of visas.

Assemblyman Price moved that the resolution be referred to the Committee on Economic Development, Tourism and Mining.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 106.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 350.

Amend section 1, page 1, line 2, by deleting the brackets.

Amend section 1, page 1, line 3, before "broadly" by inserting open bracket.

Amend section 1, page 1, line 5, after "employer," by inserting closed bracket.

Amend section 1, page 1, by deleting line 8 and inserting:

"2. The governor [may] *shall* appoint the members of the board . [from a".

Amend section 1, page 1, line 10, after the bracket by inserting: "*One of the members must:*

(a) Be familiar with employee-management relations and be closely allied with employees.

(b) Be familiar with employee-management relations and be closely allied with management.

(c) Represent the general public.".

Amend the title of the bill, second line, after "committee;" by inserting: "changing the composition of the employee-management relations board;".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 139.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 349.

Amend section 1, page 2, line 9, by deleting: "*several courts of this state*" and inserting "*supreme court*".

Amend section 1, page 2, line 10, after "*documents*" by inserting: "*of the several courts of this state*".

Amend section 1, page 2, by inserting after line 14:

"*5. The court administrator may request the division of archives in the Nevada state library to advise and assist the supreme court in its establishment of the rules.*".

Amend the title of the bill, first and second lines, by deleting: "several courts of this state" and inserting "supreme court".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 148.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 293.

Amend section 1, page 2, line 10, by deleting "*stolen*" and inserting "*involved*".

Amend section 1, page 2, by deleting line 11, and inserting "*$20,000.*".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 163.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 321.

Amend section 1, page 1, line 2, by deleting "6," and inserting "5,".

Amend sec. 3, page 1, by deleting lines 8 through 10 and inserting:

"*1. Reporting a crime or possible crime to a:*

(a) Judge;

(b) Peace officer;

(c) Parole or probation officer;

(d) Prosecuting attorney;

(e) Warden or other employee at an institution of the department of prisons; or

(f) Superintendent or other employee at a juvenile correctional institution;".

Amend sec. 3, page 1, line 17, by deleting "*3*" and inserting "*6*".

Amend the bill as a whole by deleting section 5 and renumber sections 6 through 9 as sections 5 through 8.

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblyman Swain.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 187.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 13.

Resolution read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 17.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 35.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 306.

Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 294A.020 is hereby amended to read as follows:

294A.020 1. Every candidate for state, district, county, city or township office at a primary or general election shall, not later than:

(a) Fifteen days [after the primary election if the candidate wins or 30 days after the primary election if he loses, for the period from January 1 of the year of the election up to] *before the primary election, for the period from the last election for that office up to 20 days before* the primary election;

(b) Fifteen days before the general election, *whether or not the candidate won the primary election,* for the period from *20 days before* the primary election up to 20 days before the general election; and

(c) Thirty days after the general election, for the remaining period up to the general election,

report his campaign expenses on affidavit forms designed and provided by the secretary of state.

2. Except as provided in subsection 3, every candidate for a district office at a special election shall, not later than:

(a) Fifteen days before the special election, for the period from his nomination up to 20 days before the special election; and

(b) Thirty days after the special election, for the remaining period up to the special election,

report his campaign expenses on affidavit forms designed and provided by the secretary of state.

3. Every candidate for state, district, county, city or township office at a special election to determine whether a public officer shall be recalled shall report his campaign expenses on affidavit forms designed and provided by the secretary of state 30 days after the special election, for the period from the filing of the notice of intent to circulate the recall petition up to the special election.

4. Reports of campaign expenses must be filed with the officer with whom the candidate filed the declaration of candidacy or acceptance of candidacy. A candidate may mail the report to that officer by certified mail. If certified mail is used, the date of mailing shall be deemed the date of filing.

5. County clerks who receive from candidates for legislative or judicial office , *except the office of justice of the peace or police judge,* reports of campaign expenses pursuant to subsection 2 shall file a copy of each report with the secretary of state.

6. Any candidate who willfully violates any of the provisions of this section is guilty of a gross misdemeanor.".

Amend the title of the bill, by deleting the first and second lines and inserting:

"An Act relating to campaign practices; extending the periods required to be covered by the first and second reports of contributions and expenses; requiring".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 173.
Bill read second time and ordered to third reading.

Senate Bill No. 174.
Bill read second time and ordered to third reading.

Senate Bill No. 198.
Bill read second time and ordered to third reading.

Mr. Speaker announced that if there were no objections, the Assembly would recess subject to the call of the Chair for the purpose of hearing Mr. Al Kellers, Jr., National Commander of the American Legion.

Assembly in recess at 11:31 a.m.

ASSEMBLY IN SESSION

At 12:01 p.m.
Mr. Speaker presiding.
Quorum present.

REMARKS FROM THE FLOOR

Assemblyman Coffin requested that the following remarks be entered in the Journal:

MR. SPEAKER:

Ladies and gentlemen, it is a great honor and a privilege to introduce our guest speaker at this time—the National Commander of the American Legion—the world's largest veterans organization.

This gentleman served in the Army Air Force in World War II as a gunner on a B-24. He flew 16 combat missions over occupied territory. He was a prisoner of war near the war's end.

He has been active in the Legion since 1946, belonging to Post 85, Kankakee, Illinois. He has served his post as senior vice commander, post commander, adjutant, service officer, and chairman of the board of directors. He has also been involved in Legion baseball.

In the Illinois Department, he has served as 18th district commander, department senior vice commander, and in 1958-59 department commander. He was involved in the Department's Veterans Affairs and Rehabilitation Program. He was also chairman of the National Economics Commission.

The Commander has held many professional offices outside the American Legion. They include being an accountant and office manager of a major corporation and a construction company. He recently became involved in local government. He is an administrative assistant for Kankakee County. He and his wife, Genevieve, are the parents of two grown sons.

Ladies and gentlemen, from Kankakee, Illinois, serving the nation's largest veterans organization—National Commander—Al Keller.

MR. AL KELLERS, JR., *National Commander, American Legion:*

Thank you.

Ladies and gentlemen, distinguished members of the Nevada legislature, friends and fellow Legionnaires...

As national commander of the nation's largest veterans organization, I have the privilege of talking with people all over the country.

This morning I had the privilege of meeting with Governor Bryan, who I am proud

to say is a fellow Legionnaire, and now—I am indeed honored to be before a gathering of Nevada legislators.

You represent one of the fundamental strengths of our Nation: a vigorous and unfettered political system that allows competing values to be heard—evaluated—and chosen, one above the other, to represent the majority's interests. The American Legion is pledged to protect and preserve such political freedoms—and dedicated to seeing that all Americans have their voices heard. You are the men and women who must make many difficult decisions—with compromise a by-product of your toils.

On the way to those decisions, you generally encounter one or more lobbyists. Men and women seeking to promote or secure the passage of some legislation by influencing you.

Sometimes those contacts create a thundering din of diverse opinion. I am certain some of you this afternoon would place the American Legion into the role of a lobbyist. I reject that placement.

In today's society it seems a lobbyist is generally an advocate of a single issue: the textile industry, chemicals, the environment, gun-control, just to cite a few examples.

But—The American Legion is not a single-issue organization. Our interests span a subject list that touches on virtually each and every American.

We are—indeed—interested in veterans. We do support a strong military. But, we also are vitally interested in jobs—and the welfare of the Nation's children.

The American Legion is—of course—nonpartisan. But it is intensely interested in political matters. Legionnaires are among the most active voters in the country. We care about good government. We get involved in community, state and national issues—and we have strong opinions—as individuals and as an organization. But we do not endorse parties or individuals. Our concern is—and has been for 64 years—with issues important for America—and that is what we support.

Our concern is based on a deep and abiding faith in the ability of America to deal with the many problems confronting the Nation—and the world—today. Our faith is demonstrated by our willingness to serve this Nation—in time of war and in time of peace. And, as in all matters, keeping faith is not easy. In these particularly trying economic and international times—our faith is often tested. It may be difficult to have faith in the future. But faith is necessary—faith, diligence and hard work—if we are to succeed in re-establishing the fundamental strengths that made America great—if we are to succeed in protecting the rightfully earned benefits of four generations of war veterans—thereby insuring that future American veterans will have faith in our promises to them—and if we are to succeed in passing to our children a nation, safe and secure—a nation in which they will be free from threats and war.

You see, with some two and a half million members—there is no way that The American Legion can—or should—be a single-issue organization.

The American Legion can be likened to a microcosm of our Nation's entire democratic foundation. At more than 16,000 American Legion posts around the Nation—ideas and concerns are developed into requests for action. Within 58 departments—like here in Nevada—those ideas are collected, and refined. Appropriate measures are then forwarded to our National Executive Committee and our National Convention for action.

When resolutions are finally adopted by The American Legion convention delegates each year—our position is defined. Our direction determined. Throughout this process—just like in this chamber—debate and compromise are experienced over and over again. This is the only process that will assure our far-reaching concerns reflect the attitudes of a majority of our members.

Once our resolutions are set, they become mandates for the organization. Mandates that will be shared in hearings with lawmakers in Washington, D.C. and Carson City, Nevada, as we seek to insure that the fundamental ideals of the American way of life remain strong.

The 98th Congress is busy now in Washington. Our National lawmakers face some very hard decisions. Decisions that will affect citizens of Nevada and elsewhere. Decisions that will never be liked by all citizens. But, they are decisions that, nevertheless, must be made.

Among those decisions—entitlement program funding—and the defense budget. President Reagan has called for a freeze on entitlement programs. After careful study, we in The American Legion decided to accept such a plan—under one condition: no exceptions be granted. America's veterans are men and women who know firsthand that

it requires sacrifice to keep America strong. The American Legion is confident that veterans are willing once again to make those sacrifices.

But veterans already have shouldered a significant portion of the hardship in battling our economic problems. In 1982, veterans accepted austerity meausures. Measures that saved the Federal Government a sizeable amount of money. But, last year when exceptions were made to limitations—veterans were not included. We cannot stand by and see that happen again.

America is a beautiful country. Founded on principles of freedom and peace. Nothing in our history has happened to destroy those principles.

In recent weeks, many people have been testifying in Washington on various aspects of the 1984 budget. Defense spending is increasingly under attack. There have even been thoughts tossed around that defense spending is nothing more than welfare for the defense industries.

Members of The American Legion certainly don't feel that way. And if surveys are to be trusted—neither do America's youngest veterans. A Louis Harris and Associates poll shows 79 percent of Vietnam veterans favoring increased defense spending. They understand full well that for nearly 25 years defense spending in constant dollars remained virtually unchanged in this country—while those who would impose their will on other countries had beefed up every aspect of their military.

Today we are building a stronger military. One that is capable of responding to the variety of challenges that could present themselves in the years ahead.

Defense spending now amounts to 28 percent of the federal budget. That compares to more than 45 percent in 1960. Clearly, defense money for our Nation can never be considered welfare for contractors—more like welfare for all citizens. For if we shirk from our responsibility to remain a strong and capable deterrent in troubled times—all other spending for our people will be of little use.

It takes freedom—and peace—to keep America and her people happy. The military—and its spending—will always remain vital to that end.

I am a man who likes to talk of tradition—the value of knowing where we have been—and keeping faith with the tried and true ways. I don't like to think of tradition as an excuse for not changing—but I do like to recognize the value, and the importance, of preserving those things in life that have served us well—and for which there are no reliable replacements.

Throughout my lifetime—the single-family home—the love affair with the automobile—and a job for everyone who wanted one—have been traditional. I believe that although those traditions appear to be shakey today—our great Nation will prevail in this time of trouble. We already are seeing signs of that. And I am confident we will surface to a brighter future—eager to establish unthought of new opportunities that will become the traditions of the 21st century.

To you lawmakers, who face many hard decisions daily, I say thank you, because as you serve Nevada, your job is often thankless. Let me remind you that over 3,000 of your constituents belong to the American Legion—these are men and women willing to share with you their concerns. They are men and women I encourage you to seek out—to talk with—to use to broaden your perspective on critical issues of 1983.

Just a few weeks ago in Washington, D.C. the new director of the Veterans Administration, Harry Walters, addressed a gathering of Legionnaires. He said: "America is number one, thanks to our veterans." And I say to you—America's veterans are thankful for men and women like you who provide the support and help needed. We all know—the war isn't always over when the shooting stops.

I congratulate you—the lawmakers of Nevada—for your courage and dedication to veterans. Your challenge in these exciting times is to remain in touch with your veteran constituents. I'm sure I speak for all veterans when I say—thank you so very much for caring about us.

SECOND READING AND AMENDMENT

Assembly Bill No. 336.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 332.

Amend section 1, page 1, line 13, by deleting "*$250*" and inserting "*$200*".

Amend section 1, page 1, line 17, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 2, page 2, line 6, by deleting "*$250*" and inserting "*$200*".

Amend sec. 2, page 2, line 11, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 3, page 2, line 21, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 4, page 2, line 32, by deleting "*$250*" and inserting "*$200*".

Amend sec. 5, page 3, line 12, by deleting "*$250*" and inserting "*$200*".

Amend sec. 5, page 3, line 16, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 6, page 3, line 23, by deleting "*$250*" and inserting "*$200*".

Amend sec. 7, page 3, line 37, by deleting "*$250*" and inserting "*$200*".

Amend sec. 7, page 4, line 6, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 8, page 4, line 22, by deleting "*$250*" and inserting "*$200*".

Amend sec. 9, page 4, line 37, by deleting "*$250*" and inserting "*$200*".

Amend sec. 10, page 5, line 6, by deleting "*$250*" and inserting "*$200*".

Amend sec. 10, page 5, line 17, by deleting "*$250*" and inserting "*$200*".

Amend sec. 11, page 5, line 27, by deleting "*$250*" and inserting "*$200*".

Amend sec. 12, page 5, line 37, by deleting "*$250;*" and inserting "*$200;*".

Amend sec. 12, page 5, line 40, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 12, page 5, by inserting between lines 42 and 43:

"*2. For the purposes of subsection 1, the value of goods or property is the fair market value. If the theft is from an establishment which sells at retail, the price marked for the sale of the goods or property is prima facie evidence of the fair market value of the goods or property.*".

Amend sec. 12, page 5, line 43, by deleting "*2.*" and inserting "*3.*".

Amend sec. 12, page 6, line 17, by deleting "*3.*" and inserting "*4.*".

Amend sec. 12, page 6, line 19, by deleting "*4.*" and inserting "*5.*".

Amend sec. 13, page 6, line 23, by deleting "*$250*" and inserting "*$200*".

Amend sec. 14, page 7, line 6, by deleting "*$250*" and inserting "*$200*".

Amend sec. 15, page 7, line 19, by deleting "*$250*" and inserting "*$200*".

Amend sec. 15, page 7, line 23, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 16, page 7, line 38, by deleting "*$250*" and inserting "*$200*".

Amend sec. 17, page 8, line 6, by deleting "*$250*" and inserting "*$200*".

Amend sec. 17, page 8, line 12, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 17, page 9, line 2, by deleting "*$250*" and inserting "*$200*".

Amend sec. 17, page 9, line 6, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 18, page 9, line 21, by deleting "*$250*" and inserting "*$200*".

Amend sec. 19, page 10, line 8, by deleting "*$250*" and inserting "*$200*".

Amend sec. 20, page 11, line 4, by deleting "*$250*" and inserting "*$200*".

Amend sec. 20, page 11, line 9, by deleting "*$250*" and inserting "*$200*".

Amend sec. 21, page 11, line 39, by deleting "*$250;*" and inserting "*$200;*".

Amend sec. 21, page 11, line 40, by deleting "*$250*" and inserting "*$200*".

Amend sec. 22, page 12, line 10, by deleting "*$250*" and inserting "*$200*".

Amend sec. 22, page 12, line 13, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 23, page 12, line 22, by deleting "*$250*" and inserting "*$200*".

Amend sec. 23, page 12, line 25, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 24, page 12, line 34, by deleting "*$250*" and inserting "*$200*".

Amend sec. 24, page 12, line 37, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 25, page 13, line 2, by deleting "*$250*" and inserting "*$200*".

Amend sec. 25, page 13, line 5, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 26, page 13, line 14, by deleting "*$250*" and inserting "*$200*".

Amend sec. 26, page 13, line 17, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 27, page 13, line 35, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 27, page 13, line 39, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 28, page 14, line 18, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 28, page 14, line 22, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 29, page 14, line 35, by deleting "*$250*" and inserting "*$200*".

Amend sec. 29, page 14, line 39, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 30, page 15, line 3, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 30, page 15, line 7, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 31, page 15, line 29, by deleting "*$250*" and inserting "*$200*".

Amend sec. 32, page 16, line 8, by deleting "*$250.*" and inserting "*$200.*".

Amend sec. 32, page 16, line 10, by deleting "*$250*" and inserting "*$200*".

Amend sec. 33, page 16, line 36, by deleting "*$250*" and inserting "*$200*".

Amend sec. 33, page 16, line 40, by deleting "*$250,*" and inserting "*$200,*".

Amend sec. 34, page 17, line 3, by deleting "*$250*" and inserting "*$200*".

Amend sec. 35, page 17, line 32, by deleting "*$250*" and inserting "*$200*".

Amend sec. 35, page 17, line 36, by deleting "*$250,*" and inserting "*$200,*".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 158.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 351.

Amend section 1, page 1, line 13, by deleting "(f) Within [100] *1,000*" and inserting "[(f) Within 100".

Amend section 1, page 1, line 14, after "vote." by inserting a closed bracket.

Amend sec. 2, page 2, by deleting lines 6 through 12 and inserting:

"293.592 1. It is unlawful [within 100 feet of the outside entrance of the building in which the polling place is located:

(a) For any person to solicit a vote or speak] *on election day for any person to:*

(a) Solicit a vote;

(b) Speak to a voter on the subject of marking his ballot [.

(b) For any person, including an election board officer, to do any electioneering on election day.

2.] *;*

(c) Electioneer; or

(d) Ask another person for whom he intends to vote,

on the property where the polling place is located.

2. For the purposes of this section, if the polling place is located:

(a) In any building which includes a residence, "property" means within 100 feet of the outside entrance of the building.

(b) In any other building, "property" means the building, the lot on which it is situated, any area available for the parking of the voters' vehicles and any street adjacent to the property or parking areas.

3. Any person who violates any provision of this section is guilty".

Assemblyman Berkley moved the adoption of the amendment.

Remarks by Assemblyman Berkley.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Joint Resolution No. 16 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Dini.

Motion carried.

By Assemblyman May:

Assembly Concurrent Resolution No. 24—Directing the legislative commission to study the feasibility and desirability of establishing and maintaining a veterans' cemetery in Nevada.

Assemblyman May moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Ham, Stone, Redelsperger, Kerns, Thomas, Bilyeu, Berkley, Kovacs, DuBois and Bogaert:

Assembly Bill No. 456—An Act relating to vocational licensing boards; reducing the number of such boards; abolishing the board of psychological examiners and board of marriage and family counselor examiners; establishing the board of examiners for mental health; providing for its certification of psychologists, social workers, marriage and family counselors and counselors of alcohol and drug abusers; providing penalties; and providing other matters properly relating thereto.

Assemblyman Ham moved that the bill be referred to the Committee on Commerce.

Motion carried.

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

Assembly in recess at 12:06 p.m.

ASSEMBLY IN SESSION

At 12:12 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 167 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman Dini.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 167.

Bill read third time.

The following amendment was proposed by Assemblyman Stone:

Amendment No. 341.

Amend sec. 10, page 7, by deleting lines 17 through 20 and inserting: "*order, shall fine him not less than $200 nor more than $1,000 and may sentence him to imprisonment for not more than 6 months in jail. The court shall notify the department if the offender fails*".

Amend sec. 11, page 8, by deleting lines 36 through 38 and inserting:

"*(c) He has served or will serve a term of imprisonment in jail of 5 days if it is his second offense within 7 years.*".

Amend sec. 11, page 9, line 20, by deleting "*for the offense*".

Amend sec. 22, page 19, by deleting line 15 and inserting: "*7 years of NRS 484.379, and the driver is not eligible for a restricted license during any of that period.*".

Amend sec. 23, page 19, line 35, after "*revoked*" by inserting: "for an offense other than a first violation within 7 years of NRS 484.379".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblymen Stone, Stewart, Getto, Beyer, Bilyeu, Sader, Dini and Nevin.

Assemblymen Stewart, Price and Malone requested a roll call on Assemblyman Stone's motion.

Roll call on Assemblyman Stone's motion:

YEAS—18.

NAYS—Berkley, Beyer, Bourne, Brady, Bremner, Coffin, DuBois, Francis, Ham, Humke, Kovacs, Malone, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Swain, Thompson, Zimmer—24.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

The following amendment was proposed by Assemblyman Getto:

Amendment No. 396.

Amend section 1, page 1, line 2, after "sections" by inserting "1.5,".

Amend the bill as a whole by adding a new section designated section 1.5, following section 1, to read as follows:

"Sec. 1.5. "*Premises to which the public has access*" *means property in private or public ownership onto which the public is invited or permitted to enter for civic or commercial purposes, such as the roadway or parking lot appurtenant to a governmental building, a business, an apartment house or a mobile home park, but does not include a private way on a farm or the driveway of an individual dwelling.*".

Amend sec. 2, page 1, line 4, by deleting: "*on or off a highway in this state*" and inserting: "*on a highway or on premises to which the public has access*".

Amend sec. 4, page 2, lines 38 and 39, by deleting: "*on or off the highways of this state*" and inserting: "*on a highway or on premises to which the public has access*".

Amend sec. 5, page 3, line 9, by deleting "accident, resulting" and inserting: "accident [resulting] *on a highway or on premises to which the public has access, if the accident results*".

Amend sec. 5, page 3, line 13, by deleting: "*If the accident results in*".

Amend sec. 5, page 3, by deleting lines 14 through 16.

Amend sec. 8, page 4, lines 35 and 36, by deleting: "[within] *on or off the highways of* this state." and inserting: "[within this state.] *on a highway or on premises to which the public has access.*".

Amend sec. 8, page 5, by deleting line 2 and inserting: "cle [within this state.] *on a highway or on premises to which the public has access. The fact that any*".

Amend sec. 14, page 11, lines 1 and 2, by deleting: "[upon] *on or off* a highway in this state" and inserting: "[upon a highway in this state] *on a highway or on premises to which the public has access*".

Amend sec. 25, page 20, line 30, after the bracket by inserting: "*on a highway or on premises to which the public has access*".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblymen Getto and Stewart.

Amendment adopted.

The following amendment was proposed by Assemblyman Collins:

Amendment No. 340.

Amend sec. 2, page 2, line 1, by deleting "*immediate*".

Amend sec. 2, page 2, by deleting lines 3 and 4 and inserting:

"*3. If the person fails to submit to the test, the officer shall notify the department of motor vehicles of that failure as provided in NRS 484.385, and if reason-*".

Amend sec. 15, page 13, by deleting lines 8 through 26 and inserting:

"5.] *If a person to be tested fails to submit to a required test as directed by a police officer under NRS 484.383 or section 2 of this act, or if a person submits to a required test and the result shows that he has 0.10 percent or more by weight of alcohol in his blood, the officer shall within 10 days prepare and transmit to the department of motor vehicles, together with a*".

Amend sec. 15, pages 13 and 14, by deleting lines 39 through 44 on page 13 and lines 1 through 8 on page 14 and inserting:

"*2. The department, after examining the certificate and the copy of the result of the chemical test, if any, if it finds that revocation is proper, shall immediately notify the person by mail that his license, permit or privilege to drive is subject to revocation. The notice must indicate the grounds for the revocation and the period during which the person will not be eligible for a license, permit or privilege to drive and state that the person has 15 days after the date of mailing the notice to make a written request for a hearing.*

3. If the person does not request a hearing within 15 days, the department shall immediately notify the person by mail that his license, permit or privilege to drive has been ordered revoked for the applicable period as provided in section 3 of this act. The order of revocation becomes effective 10 days after the department mails the notice of revocation to the person at his last known address.".

Amend sec. 16, page 14, by deleting lines 20 through 28 and inserting:

"484.387 1. If a request for a hearing is made within the appropriate time, the department of motor vehicles shall [afford the person an opportunity for a hearing to be conducted] *conduct the hearing* within 60 days after receipt of the request. The hearing must be conducted in the county".

Amend sec. 16, page 14, by deleting lines 33 through 35 and inserting "[accused.] *requester.*".

Amend sec. 16, pages 14 and 15, by deleting line 44 on page 14 and lines 1 through 8 on page 15 and inserting: "issues,] *this issue,* the department [of motor vehicles] shall issue an order [suspending] *revoking* the license, privilege or permit to drive a [motor] vehicle, unless the [suspension] order *of revocation* has already been made, in which case the order must be affirmed. If a negative finding is made on [any of the issues] *the issue,* then no [suspension] *revocation* may be ordered or the prior [suspension] order *of revocation* must be rescinded, as the case may be.

3. If, after the hearing, an order of [suspension] *revocation* is issued or a prior order of [suspension] *revocation* is affirmed , the".

Amend sec. 16, page 15, line 16, by deleting "*an additional*" and inserting "*a*".

Amend sec. 16, page 15, line 21, by deleting "*cancel the*" and inserting: "*immediately order the revocation of his license or cancellation of his*".

Amend sec. 16, page 15, by deleting line 22, and inserting: "*and notify him by mailing the order to his last*".

Amend the title of the bill, lines 2 and 3, by deleting: "providing for summary revocation of drivers' licenses;".

Assemblyman Collins moved the adoption of the amendment.

Remarks by Assemblymen Collins, Stewart and Nevin.

Assemblymen Stewart, Brady and Beyer requested a roll call on Assemblyman Collins' motion.

Roll call on Assemblyman Collins' motion:

YEAS—6.

NAYS—Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Coffin, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Joerg, Kerns, Malone, Marvel, Nevin, Nicholas, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson, Zimmer, Mr. Speaker—36.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

The following amendment was proposed by Assemblyman Stewart:

Amendment No. 389.

Amend sec. 10, page 8, line 10, by deleting "*peace.*" and inserting: "*peace, except that a person who is convicted of a second or subsequent offense within 7 years must be confined for at least one segment of not less than 48 consecutive hours.*".

Amend sec. 22, page 19, line 13, by deleting the period and inserting: "*and the driver is not eligible for a restricted license during any of that period.*".

Amend sec. 23, page 19, line 35, after "*revoked*" by inserting: "*for an offense other than a second violation within 7 years of NRS 484.379*".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Assemblyman Dini moved that Assembly Bill No. 167 be placed on the Chief Clerk's desk.

Motion carried.

Bill ordered reprinted and re-engrossed.

Assembly Bill No. 88.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 88:

YEAS—42.

NAYS—None.

Assembly Bill No. 88 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 311.

Bill read third time.

Remarks by Assemblyman Craddock.

Roll call on Assembly Bill No. 311:

YEAS—42.

NAYS—None.

Assembly Bill No. 311 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 16.

Resolution read third time.

The following amendment was proposed by Assemblymen Dini, Beyer, Stewart and Thompson:

Amendment No. 364.

Amend the resolution, page 1, by deleting line 12 and inserting:

"(a) Two [justices or] *district* judges , *no more than one of whom may be from any one judicial district, or one justice of the supreme court and one district judge,* appointed by the supreme court;".

Amend the resolution, page 2, line 20, by inserting after the period: "*Before adopting, amending or repealing any such rule, the court shall hold a public hearing, upon 30 days' notice published in one or more newspapers whose combined circulation is general throughout the state. The adoption, amendment or repeal becomes effective 30 days after entry of the court's order taking the action.*".

Amend the title of the resolution, fourth line after "confidential," by inserting: "limiting the appointment of justices and judges to the commission,".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblymen Dini and Sader.

Amendment adopted.

Resolution ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Redelsperger, Dini, Getto, Coffin, Sedway, Bilyeu, Humke, Joerg, Thompson, Swain and Zimmer:

Assembly Bill No. 457—An Act relating to transportation of pupils; requiring schools to practice evacuating pupils from school buses; limiting the number of hours a person is allowed to drive a bus without stopping to rest; imposing new requirements on drivers of school buses and other vehicles; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 39, 84, 160; Assembly Concurrent Resolution No. 22; Assembly Resolution No. 11.

REMARKS FROM THE FLOOR

Assemblyman Coffin requested that Assemblyman Thomas' remarks be entered in the Journal:

I know it's a little unusual to introduce a Senate Bill from the floor that hasn't been on the board, but this has been kind of a weird session anyhow, so if you will give me your kind indulgence I would like to levity up the situation a little. This is Senate Bill No. 1000 written by Senator Norm Glaser, introduced in the Senate on April 1, 1983.

S. B. 1000

SENATE BILL NO. 1000—SENATOR NORMAN GLASER

April 1, 1983

SUMMARY—Ominious omnibus tax bill.
FISCAL NOTE: Yes

AN ACT to amend an act.

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

SECTION 1. Tax his cow, tax his goat
Tax his pants, tax his coat
Tax his crops, tax his work
Tax his tie, tax his shirt.

SECTION 2. Tax his chew, tax his smoke
Teach him taxes is no joke
Tax his tractor, Tax his mule
Teach him taxes are a rule.

SECTION 3. Tax his oil, tax his gas
Tax his notes, tax his cash
Tax him good and let him know
After taxes, he has no dough.

SECTION 4. If he hollers, tax him more
Tax him 'till he's good and sore
Tax his coffin, tax his grave
Tax the sod in which he lays.

SECTION 5. Put these words upon his tomb
"Taxes drove me to my doom."
And after he's gone he can't relax
They'll still be after income tax.

(Effective Date, Immediately If Not Sooner)

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Rual Meredith.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sherry Marie Porter and Mr. Justin Thomas Phillips.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Alec VanderWoude.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Kay Lee Nicholas and Mr. Scott Nicholas.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, April 6, 1983, at 11 a.m., and that it do so in recognition of Easter and with the faith that God will continue to guide us through the challenging days ahead.

Motion carried.

Assembly adjourned at 1:01 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTIETH DAY

CARSON CITY (Wednesday), April 6, 1983

Assembly called to order at 11:09 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Ronald B. League.

Heavenly Father, we praise you this day for your goodness and your mercy towards us. We thank you that you have blessed us with the presence of the Holy Spirit and the power of your Spirit that fills us with love and concern for each other. We thank you again Father, for our leaders and the enablement that you give each of them to govern the affairs of this state. We ask that you give wisdom today in this meeting, and the decisions that are made will be positive and encouraging to each one of us. Lord, our confidence and our trust is in your might and your knowledge. We thank you for this opportunity in asking for your help and knowing that you always hear and answer our prayers. We ask these things in Jesus' name and for His Glory,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 129, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was re-referred Assembly Bill No. 254, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 162, 359, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 5, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 215.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 184.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 204, 219, 235, 244, 245.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 28, consisting of the undersigned members, has met, and reports that:

No decision was reached, and recommends the appointment of a second Committee on Conference, to consist of three members, for the further consideration of the bill.

NORMAN D. GLASER	JAMES W. SCHOFIELD
NICHOLAS J. HORN	CHARLES G. BOURNE
WILLIAM J. RAGGIO	BRUCE R. BOGAERT
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Schofield moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 28.

Remarks by Assemblyman Schofield.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Dini, Jeffrey and Kerns as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 28.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 458—An Act relating to peace officers; enumerating certain rights in employment; establishing standards for the conduct of certain investigations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 459—An Act making an appropriation to the National Judicial College in Reno, Nevada; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Malone:

Assembly Bill No. 460—An Act relating to funeral processions; amending the traffic laws concerning them; authorizing the issuance of permits as emergency vehicles for vehicles used to escort funeral processions; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 184.

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

Motion carried.

Senate Bill No. 204.

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

Motion carried.

Senate Bill No. 219.

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

Motion carried.

Senate Bill No. 235.

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

Motion carried.

Senate Bill No. 244.

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

Motion carried.

Senate Bill No. 245.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 146; Senate Bills Nos. 157, 252, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:21 a.m.

ASSEMBLY IN SESSION

At 11:25 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Price, May, Malone, Schofield, Francis, Humke, Jeffrey, Stewart, Collins, Bergevin, Fay, Thomas, Zimmer, Bilyeu, Joerg, Bourne, Stone, Nevin, Berkley, Craddock, Ham, Nicholas, Getto, Redelsperger, Banner, Swain, Brady, Bogaert, Kovacs, Kerns,

Coffin, Beyer, Sedway, Vergiels, Dini, Chaney, Marvel, Perry, Sader, Thompson, DuBois and Bremner:

Assembly Concurrent Resolution No. 25—Memorializing past Thunderbird pilots of the United States Air Force and commending those pilots who continue to fly as the Thunderbirds.

WHEREAS, The Thunderbird pilots of the United States Air Force have flown from Nellis Air Force Base located in North Las Vegas and have performed their aerial demonstrations throughout the world; and

WHEREAS, In September 1981, a former commander of the team, D.L. Smith, died in Cleveland and on January 18, 1982, four members of the team, Major Norm Lowry and Captains Pete Peterson, Mark Melancon and Willie Mays, died in simultaneous crashes at Indian Springs, Nevada; and

WHEREAS, Since these tragedies, the Thunderbird flight team has been reformed and has recently excited a large hometown crowd at Nellis Air Force Base by flying precision maneuvers in their new red, white and blue F-16 Fighting Falcons; and

WHEREAS, These brave men are a great source of inspiration and pride to the people of Nevada, especially of southern Nevada, as well as to friends elsewhere in the world; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That this legislature memorializes the airmen who have given up their lives in the Thunderbird service and commends the brave pilots who continue to fly and perform as the Thunderbirds; and be it further

Resolved, That a copy of this resolution be forwarded by the legislative counsel to the Commander of the United States Air Force Aerial Demonstration Squadron, Commander of the 57th Fighter Weapons Wing, Commander of the Tactical Fighter Weapons Center, Commander of the Tactical Air Command and Chief of Staff of the United States Air Force.

Assemblyman Price moved the adoption of the resolution.

Remarks by Assemblyman Price.

Resolution adopted unanimously.

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

Assembly in recess at 11:32 a.m.

ASSEMBLY IN SESSION

At 11:33 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

REMARKS FROM THE FLOOR

Assemblyman Vegiels requested that the following remarks be entered in the Journal:

ASSEMBLYMAN SWAIN:

Captain Steven R. Chealander flies the number two aircraft as the left wing pilot in the Thunderbird diamond formation.

Born in Los Angeles and calling Bakersfield, California, home, Captain Chealander graduated from Canoga Park High School and the University of Southern California. He received a bachelor of science degree in Business Administration in 1973.

After commissioning through Officers Training School in February 1974, the captain earned his wings at Craig AFB, Alabama. He was then sent to MacDill AFB, Florida to be an F-4 Phantom student aircraft commander before being sent to Torrejon Air Base, Spain, to fly the F-4. While at Torrejon, he was made an instructor for new Phantom pilots.

Upon his return to the United States, Captain Chealander was assigned to Nellis AFB,

Nevada, to fly the F-5E as an Aggressor pilot and evaluation flight examiner. He has logged more than 1,500 hours flying jet aircraft during his Air Force career.

Captain Chealander is married to the former Becky Dale of Tehachapi, California. They have two daughters, Ann and Lael.

ASSEMBLYMAN ZIMMER:

Captain Jerald L. Thomas is beginning his first year as the Public Affairs Officer for the Thunderbirds. The Marion, North Carolina native is responsible for keeping the team in the "eyes and ears" of the public through his direction of the squadron's public affairs, photographic, video and graphics specialists.

After enlisting in the Air Force in November 1964, Captain Thomas began his public affairs career at Seymour Johnson AFB, North Carolina, as a community relations specialist.

He next served as wing historian and noncommissioned officer-in-charge of the public information branch at the 8th Tactical Fighter Wing, Ubon Royal Thai AFB, Thailand. He later held duties as NCOIC of the public affairs divisions at Altus AFB, Oklahoma, Myrtle Beach AFB, South Carolina, Udorn Royal Thai AFB, Thailand, and Andrews AFB, Maryland.

After graduating from Golden Gate University with a bachelor of arts degree in Political Science in 1975, Captain Thomas earned a master of arts degree in Management and Supervision from Central Michigan University in 1977. The former master sergeant was commissioned a second lieutenant after completing Officers Training School as a distinguished graduate in 1978.

As a public affairs officer, the captain has served as chief, community relations division for the 76th Airlift Division, Andrews AFB, and as chief of public affairs, 354th Tactical Fighter Wing, Myrtle Beach AFB.

Before his selection to join the Thunderbirds in July 1982, he was the executive officer to the commander of the 57th Fighter Weapons Wing at Nellis AFB, Nevada.

ASSEMBLYMAN SCHOFIELD:

Captain John R. Bostick flies the number six aircraft as opposing solo for the Thunderbirds.

A native of Water Valley, Kentucky, Captain Bostick graduated from Murray State University in 1972 with a bachelor of science degree in Business Economics. He was commissioned through the USAF Officer Training School in 1973, and earned his wings at Williams AFB, Arizona.

His first assignment took him to Luke AFB, Arizona where he learned to fly the F-4 Phantom. The captain then flew F-4s with the 10th Tactical Fighter Squadron, Hahn AB, Federal Republic of Germany.

In 1977, Captain Bostick continued flying the Phantom with the 80th Tactical Fighter Squadron, Kunsan AB, Republic of Korea. He was then sent to George AFB, California, where he served as a Phantom instructor pilot with the 21st Tactical Fighter Training Squadron.

After graduating from the F-4 Fighter Weapons School at Nellis AFB, Nevada, Captain Bostick became an F-4 German fighter weapons instructor pilot with the 20th Tactical Fighter Squadron at George AFB in 1979.

The captain next attended Squadron Officers School at Maxwell AFB, Alabama, where he was a distinguished graduate. He then learned to fly the F-15 at Luke AFB.

At the time of his selection to the Thunderbirds in June 1982, Captain Bostick was chief of F-15 Weapons and Tactics with the 58th Tactical Fighter Squadron, Eglin AFB, Florida.

Captain Bostick has amassed more than 1,700 hours flying jet aircraft during his Air Force career.

He is married to the former Cynthia A. Costa of Niceville, Florida.

ASSEMBLYMAN HAM:

Major Larry Stellmon flies the number four Thunderbird aircraft in his first year on the team.

Calling Hot Springs, Montana home, Major Stellmon graduated from the Air Force Academy in 1969 with a bachelor of science degree in Aeronautical Engineering. He received his master's degree in Systems Management from the University of Southern California in 1977.

After undergraduate pilot training at Moody AFB, Georgia, the major served three

more years there as a T-38 instructor pilot. During that time he held positions as chief of pilot qualification and chief of T-38 airspace operations.

Major Stellmon served a one-year tour in Southeast Asia flying the F-4D and F-4E Phantom, and then moved to Fort Riley, Kansas, where he was an air liaison officer with the U.S. Army's 1st Infantry Division.

Before his selection as slot pilot for the Thunderbirds, Major Stellmon flew the F-4 and F-16 at Hill AFB, Utah, and then spent a year as a the F-16 Program Manager at Headquarters Tactical Air Command, Langley AFB, Virginia. He has accumulated more than 2,700 flying hours during his Air Force career.

Major Stellmon is married to the former Anne Nichols of Aurora, Colorado. They have two sons, Scott and Lawrence.

ASSEMBLYMAN STEWART:

Major Jim Bailey is the seventh pilot on the Thunderbirds and the team's Logistics Officer. He serves as the safety observer and evaluator for each air demonstration, flies photographic chase, and flight tests Thunderbird aircraft. Calling Penn Yan, New York, home, Major Bailey graduated from the State Universty of New York at Brockport in 1969. After commissioning through Officer Training School in 1970, he earned his wings at Laredo AFB, Texas. Major Bailey flew the 0-2A and the A-7D before a tour controlling USAF air operations in West Germany. At the time of his selection to the Thunderbirds in November 1982, he was chief of the F-104 USAF/GAF Fighter Weapons School at Luke AFB, Arizona. Major Bailey and his wife, the former Sharon Simmons of Penn Yan, New York, have a son, James and a daughter, Belinda.

ASSEMBLYMAN JEFFREY:

My guest today is Major Bob Fleer. I didn't get the background information on him, but Major Fleer did tell me that he will soon be leaving the team to be stationed in Alaska. I would like to welcome Major Fleer to Nevada and the Nevada Legislature and wish him the best of luck in his future assignment.

ASSEMBLYMAN BRADY:

Flying the number eight Thunderbird aircraft as narrator and advance man is Captain Alan R. D. Minkel. He arrives at each demonstration site in advance of the main Thunderbird contingent to ensure all necessary arrangements for the performance are complete. He narrates the demonstration, and in addition, is in charge of all public relations activities for the team while it is deployed from its home base.

Born in Fort Dodge, Iowa, and calling Boulder, Colorado home, Captain Minkel graduated from Colorado State University in 1972. After earning his bachelor's degree in Humanities—Social Science, he was commissioned through the USAF Reserve Officers Training Corps program.

Following pilot training at Vance AFB, Oklahoma, the captain flew the T-38 Talon as an instructor pilot with the 54th Flying Training Squadron, Reese AFB, Texas, from 1973-1977.

Next, at Elmendorf AFB, Alaska, Captain Minkel flew the T-33 Shooting Star with the 5041st Tactical Operations Squadron. He also held duties there as chief of safety for the 43rd Tactical Fighter Squadron, and chief of wing flight safety for the 21st Tactical Fighter Wing.

Before his selection as Thunderbird narrator, Captain Minkel was an instructor pilot in the F-5B/E/F for the 425th Tactical Fighter Training Squadron, Williams AFB, Arizona. He also flight tested F-5 aircraft for his unit.

Captain Minkel has accumulated more than 2,400 hours flying Air Force jet aircraft during his career.

He is married to the former Rebecca Cardwell of Tyler, Texas. They have two children, Merritt and Maegan.

ASSEMBLYMAN BERKLEY:

Flying the number three aircraft in his first year as a Thunderbird pilot is Captain Howard Attarian from Fairview, Kansas.

Captain Attarian graduated from Kansas State University in 1974 with a bachelor of science degree in Education. He was commissioned through the USAF Reserve Officers Training Corps program, and received his wings at Williams AFB, Arizona.

After instructor pilot training in the T-38 Talon at Randolph AFB, Texas, he was again assigned to Williams where he served as an instructor pilot. The captain was then

trained in the F-15 Eagle at Luke AFB, Arizona, before an assignment as an Eagle pilot at Kadena AB, Japan.

Captain Attarian was an F-15 instructor pilot at Luke AFB at the time of his selection to the Thunderbird team in June 1982. He has logged more than 2,000 hours flying jet aircraft during his Air Force career.

He is married to the former Suzanne Brown of Cypress, California.

ASSEMBLYMAN NICHOLAS:

Major Schumpert C. "Hoss" Jones flies the number five aircraft as the Thunderbird lead solo pilot.

A native of Ruston, Louisiana, Major Jones attended Louisiana Tech University, earning his bachelor of arts degree and his Air Force commission through the Reserve Offices Training Corps program.

He was the top graduate in both his pilot training class at Laughlin AFB, Texas, and the A-7D school at Davis-Monthan AFB, Arizona.

His first operational flying assignment was with the 23rd Tactical Fighter Wing "Flying Tigers" at England AFB, Louisiana. Major Jones served there as a squadron aircraft commander and instructor pilot.

The major was then selected for an Air Staff Training Assignment, serving as a military assistant to the assistant secretary of the Air Force for Manpower, Reserve Affairs, and Installations. Following his ASTRA assignment, he served with the 479th Tactical Fighter Squadron "Night Owls" at Taegu, Korea, flying the F-4D Phantom.

Before joining the Thunderbirds in October 1981, the major was assigned to the 56th Tactical Fighter Training Wing at MacDill AFB, Florida, as an F-16 instructor pilot. He has logged more than 2,000 hours flying Air Force jet aircraft during his career.

Major Jones is married to the former Anne Elston of Shreveport, Louisiana. They have two children, Jennifer Abney and Schumpert Cassity, Jr.

ASSEMBLYMAN MALONE:

Major Kevin Collins represents the commander/leader when the team is deployed from its home base. As Executive Officer, he is responsible for coordinating support functions of the team, including all budgetary planning and management, officer and noncommissioned officer personnel selection, and squadron administrative management.

Born in West Point, New York, and calling Tacoma, Washington home, Major Collins graduated from Wakefield High School, Arlington, Virginia. He received a bachelor of arts degree in History from the University of Puget Sound in Tacoma, Washington, and a master of arts degree in Public Administration and Management from Webster College, St. Louis, Missouri. He was commissioned through the USAF Reserve Officers Training Corps program as a distinguished graduate in June 1973.

Before joining the Thunderbirds in June 1981, Major Collins served as an executive support officer, squadron section commander, chief of base administration at England AFB, Louisiana, and as a protocol officer for Headquarters Tactical Air Command, Langley AFB, Virginia.

Most recently, he was selected for an Air Staff Training Assignment and served as the assistant deputy chief of the Executive Services Division, office of the Vice Chief of Staff, Headquarters United States Air Force.

Major Collins is married to the former Barbara Warner of La Jolla, California. They have two sons, Patrick and Sean. He is the son of Lieutenant General and Mrs. Arthur S. Collins Jr. (USA retired) of Alexandria, Virginia.

ASSEMBLYMAN KOVACS:

First Lieutenant Dan Cooley is serving in his first year as Maintenance Officer for the Thunderbirds. Lieutenant Cooley's job is to keep the T-birds flying.

After graduating from his hometown high school in Albertville, Alabama in 1966, Lieutenant Cooley worked in the civilian airline industry before enlisting in the Air Force in January 1968 as an aircraft mechanic.

His first assignment took him to Moody AFB, Georgia, where he worked as a crew chief on T-37 and T-38 jet trainers. He was then sent to Southeast Asia where he served as an F-4E phase dock chief for the 4th Tactical Fighter Squadron, Da Nang Air Base, Republic of Vietnam.

Upon his return to the United States, he worked on A-7s at England AFB, Louisiana. Returning to Moody, the lieutenant worked in a variety of maintenance related jobs

before becoming a professional military education instructor at the noncommissioned officer leadership school there.

In June 1979, he graduated from Troy State University with a bachelor of science degree in Aircraft Repair Management. Later that year, he was commissioned a second lieutenant through the USAF Officers Training School.

Lieutenant Cooley's first assignment as a maintenance officer was at Holloman AFB, New Mexico, where he served as officer-in-charge of the 436th Aircraft Maintenance Unit, and then as branch chief of the maintenance and propulsion branches of the 479th Component Repair Squadron. He was selected to the Thunderbird team in July 1982.

Lieutenant Cooley is married to Carol and has two children, Danny Jr. and Chad.

ASSEMBLYMAN PRICE:

Major James D. Latham is the Commander of the USAF Air Demonstration Squadron, the "Thunderbirds," and leads the team flying the number one aircraft.

A native of Shawnee Mission, Kansas, Major Latham graduated from Kansas State University in 1969 with a bachelor's degree in Psychology. He was commissioned through the U.S. Air Force Reserve Officers Training Corps program.

Following undergraduate pilot training at Vance AFB, Oklahoma, Major Latham completed a one-year combat tour as a forward air controller in the OV-10 in Southeast Asia. Upon completion of his tour, he trained in the F-4 Phantom at MacDill AFB, Florida.

In May 1972, he returned to Southeast Asia. Five months later, while flying a combat mission in an F-4, Major Latham was shot down over North Vietnam, captured and interned as a prisoner of war. He was released in March 1973 during Operation Homecoming. Before his capture, Major Latham had flown 328 missions and 778 hours of aerial combat.

Following a period of convalescence, Major Latham returned to fly F-4s with the 417th Tactical Fighter Squadron at Holloman AFB, New Mexico. In 1974, he attended the highly-competitive USAF Fighter Weapons Instructor Course at Nellis AFB, Nevada, and received the outstanding flying award.

After serving as an F-4 Fighter Group Weapons and Tactics Chief at Elmendorf AFB, Alaska, Major Latham was selected as the right wing pilot for the Thunderbirds. He flew 148 air demonstrations between 1978 and 1980 in the T-38A Talon.

Before his selection as commander/leader in June 1982, Major Latham was an F-16 weapons and tactics officer and flight commander at Nellis. He has logged more than 3,200 flying hours in his Air Force career.

Major Latham and his wife, the former Sue Beach of Pierceville, Kansas, live in Las Vegas with their daughters, Minde, Kendra and Brecke.

Mr. Speaker pro Tempore announced that if there were no objections, the Assembly would recess until 1 p.m.

Assembly in recess at 11:57 a.m.

ASSEMBLY IN SESSION

At 1:34 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 461—An Act relating to group insurance; requiring certain persons to provide proof of their compliance with the Nevada Insurance Code or regulation by another state agency or political subdivision; requiring notification of certain persons of the lack of regulation; imposing administrative fine for violation of the code; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 462—An Act relating to insurance; requiring insurers to pay claims by check from local banks; authorizing a private action for damages for unfair practices; requiring equal limits for all insured members of a family; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 463—An Act relating to insurance; prohibiting an insurer from requiring an assignment of a cause of action for personal injuries before paying medical benefits; prohibiting an insurer from recovering medical payments by subrogation to or reimbursement from such a cause of action; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 464—An Act relating to pharmacy; relaxing certain limitations on the issuance of a new license to conduct a pharmacy; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 465—An Act relating to landlord and tenant; increasing the maximum amount of a lien by a trailer park keeper for unpaid rent or utility bills; changing the requirement for disclosure of the portion of rent which represents property taxes; changing various provisions concerning rental or lease of lots in mobile home parks; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Francis, Vergiels, Malone, Coffin, May, Banner, Thompson, Schofield, DuBois, Chaney, Humke, Craddock, Thomas, Jeffrey, Stone, Nevin, Swain, Bogaert, Redelsperger, Price, Collins, Fay, Kovacs, Bourne and Sader:

Assembly Bill No. 466—An Act relating to tenancy; requiring landlords to pay interest on deposits of tenants; creating a cause of action for tenants to recover three times any amount which is not paid as required; and providing other matters properly relating thereto.

Assemblyman Francis moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Bogaert, Thompson, Chaney and Banner:

Assembly Bill No. 467—An Act relating to taxation; requiring the payment of taxes in cash or by a negotiable instrument which is payable on presentation; and providing other matters properly relating thereto.

Assemblyman Bogaert moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Redelsperger and Dini:

Assembly Bill No. 468—An Act relating to unincorporated towns; providing staggered terms for members of town advisory boards; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 230.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 352.

Amend section 1, page 1, line 6 by deleting "or" and inserting "[or]".

Amend section 1, page 1, by deleting line 9 and inserting "mission [,] ;

(d) Fails, refuses or neglects to allow the advocate for customers of public utilities to conduct examinations authorized in NRS 228.360; or

(e) Violates the provisions of NRS 228.370,".

Amend section 1, page 1, line 15, by deleting "jurisdiction upon" and inserting "jurisdiction . [upon".

Amend section 1, page 1, by deleting line 16 and inserting: "the commission.] *A complaint which requests the imposition of such a civil penalty must be filed by:*

(a) The commission, for any action listed in subsection 1; or

(b) The advocate for customers of public utilities, for an action listed in paragraph (d) or (e) of subsection 1.".

Amend the title of the bill, second line, after "utilities," by inserting: "extending the actions for which a civil penalty may be imposed;".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Assemblyman Dini moved that Assembly Bill No. 230 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 283.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 368.

Amend section 1, page 1, line 3, before the period by inserting an open bracket.

Amend section 1, page 1, line 4, by deleting the bracket.

Amend section 1, page 1, by deleting lines 7 and 8 and inserting: "be appointed] for terms of 4 years.".

Amend section 1, page 1, line 9, by deleting "3." and inserting "[3.] 2.".

Amend sec. 3, page 2, by deleting lines 6 through 14 and inserting:

"Sec. 3. The governor shall appoint the two additional members of the public service commission of Nevada to initial terms which expire on June 30, 1986.".

Amend the bill as a whole by deleting section 4.

Amend the title of the bill by deleting second and third lines and inserting: "membership; and providing other matters properly".

Amend the summary of the bill to read as follows: "Enlarges membership of public service commission of Nevada.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Assemblyman Dini moved that Assembly Bill No. 283 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 322.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 363.

Amend the bill as a whole by adding new sections, designated sections 11.1, 11.2, 11.4, 11.5, 11.7, 11.8 and 11.9, following section 11, to read as follows:

"Sec. 11.1. NRS 360.285 is hereby amended to read as follows:

360.285 *1. For the purposes of this Title, the governor shall, on or before January 1 of each year, certify the population of each county, city and unincorporated town in this state.*

2. Where any tax is collected by the department [of taxation] for apportionment in whole or in part to any political subdivision [where] *and* the basis of [such] *the* apportionment is the population of [such] *the* political subdivision , [as determined by the last preceding national census of the Bureau of the Census of the United States Department of Commerce,] the *department shall use the populations certified by the*

governor. The transition from one such [census] *certification* to the next [shall be made on July 1 of the year following the year in which such census is taken.] *must be made on July 1 following the certification for use in the fiscal year beginning then.* Every payment [prior to such date shall] *before that date must* be based upon the earlier [census] *certification* and every payment *on or* after [such date shall] *that date must* be based upon the later [census.] *certification.*

Sec. 11.2. NRS 360.287 is hereby amended to read as follows:

360.287 Any person charged with the duty of apportioning any tax proceeds to any incorporated city or town shall use the population figures [of the last preceding national census of the Bureau of the Census of the United States Department of Commerce, adjusted for any population change resulting from the incorporation or disincorporation of any city or the annexation of any territory to any city.] *which are certified annually by the governor.*

Sec. 11.4. NRS 365.370 is hereby amended to read as follows:

365.370 Any person who [shall export] *exports* any motor vehicle fuel from this state, or who [shall sell] *sells* any such fuel to the United States Government for official use of the United States Armed Forces, or who [shall buy and use] *buys and uses* any such fuel for purposes other than in and for the propulsion of motor vehicles, and who [shall have] *has* paid any tax on such fuel levied or directed to be paid as provided by this chapter, either directly by the collection of [such] *the* tax by the vendor from [such consumer] *the customer* or indirectly by the addition of the amount of [such] *the* tax to the price of [such fuel, shall] *the fuel, must* be reimbursed and repaid the amount of [such] *the* tax so paid by him except as follows:

1. Refund claims [shall] *must* be paid by prescribed classes in accordance with the department's regulations.

2. The minimum claim for refund [shall] *must* be based on at least 200 gallons purchased and used in a 6-month period.

3. [From the amount of gasoline tax refund due shall be deducted an amount equal to 2 percent of the refund, which shall be deposited in the state highway fund.

4.] No refund of motor vehicle fuel taxes [shall] *may* be made for off-highway use of motor vehicle fuel consumed in watercraft in this state for recreational purposes.

Sec. 11.5. NRS 365.390 is hereby amended to read as follows:

365.390 Upon the presentation of such affidavits, invoices, written statements, tax exemption certificates or exportation certificates, the department shall cause to be repaid to the claimant from the taxes collected under this chapter an amount equal to the taxes so paid by the claimant [.] *less the percentage allowed the dealer or user pursuant to NRS 365.330.*

Sec. 11.7. NRS 369.173 is hereby amended to read as follows:

369.173 [1.] The *department shall apportion and the* state controller shall distribute, on a monthly basis, [five-nineteenths of that portion of the money collected during the preceding month under NRS 369.330 which is derived] from the tax on liquor containing more than 22 percent of alcohol by volume , *the portion of the tax collected during*

the preceding month which is equivalent to 50 cents per wine gallon, among Carson City and the counties of this state in proportion to their respective populations . [and] *The department* shall apportion that money within the counties as follows:

[(a)] *1.* If there are no incorporated cities within the county, the entire amount must go into the county treasury.

[(b)] *2.* If there is one incorporated city within the county the money must be apportioned between the city and the county on the basis of the population of the city and the population of the county excluding the population of the city.

[(c)] *3.* If there are two or more incorporated cities within the county, the entire amount must be apportioned among the cities in proportion to their respective populations.

[(d)] *4.* In Carson City the entire amount must go into the city treasury.

[2. The governor shall annually, on or before January 1, certify the population of each county and city to be used for the purposes of this section during the fiscal year beginning on the following July 1.]

Sec. 11.8. NRS 370.260 is hereby amended to read as follows:

370.260 1. All taxes and license fees imposed by this chapter, less any refunds granted as provided by law, must be paid to the department in the form of remittances payable to the department.

2. The department shall:

(a) As compensation to the state for the costs of collecting the taxes and license fees, transmit on a monthly basis such sum as the legislature specifies from the remittances made to it pursuant to subsection 1 during the preceding month to the state treasurer, who shall deposit this amount to the credit of the department. The deposited money must be expended by the department in accordance with its work program.

(b) Transmit the balance of the payments each month to the state treasurer to be deposited in the state treasury to the credit of the cigarette tax account in the intergovernmental trust fund.

(c) Report to the state controller monthly the amount of collections.

3. The money in the cigarette tax account is hereby appropriated to Carson City and to each of the counties in proportion to their respective populations. The amount in the account which was collected during the preceding month must be apportioned *by the department* and distributed by the state [treasurer] *controller* as follows:

(a) In counties having a population of 5,000 or more:

(1) If there are no incorporated cities within the county, the entire amount must go into the county treasury.

(2) If there is one incorporated city within the county the money must be apportioned between the city and the county on the basis of the population of the city and the population of the county excluding the population of the city.

(3) If there are two or more incorporated cities within the county, the entire amount must be apportioned among the cities in proportion to their respective populations.

(b) In counties having a population of less than 5,000:

(1) If there are no incorporated cities or unincorporated towns within the county, the entire amount must go into the county treasury.

(2) If there is one incorporated city or one unincorporated town within the county the money must be apportioned between the city or town and the county on the basis of the population of the city or town and the population of the county excluding the population of the city or town.

(3) If there are two or more incorporated cities or unincorporated towns or an incorporated city and an unincorporated town within the county, the entire amount must be apportioned among the cities or towns in proportion to their respective populations.

(c) In Carson City the entire amount must go into the city treasury.

4. For the purposes of this section, ''unincorporated town'' means only those towns governed by town boards organized pursuant to NRS 269.016 to 269.019, inclusive.

[5. The governor shall annually, on or before January 1, certify the population of each county and city to be used for the purposes of this section during the fiscal year beginning on the following July 1. He shall also certify the population of each unincorporated town entitled to share in the distribution, if so requested by the board of county commissioners on or before the preceding July 1.]

Sec. 11.9. NRS 377.055 is hereby amended to read as follows:

377.055 1. The [state controller, acting upon the collection data furnished by the] department, shall monthly [:

(a) Determine] *determine* for each county an amount of money equal to the sum of:

[(1)] *(a)* Any fees and any taxes, interest and penalties which derive from the basic city-county relief tax collected in that county pursuant to this chapter during the preceding month, less the amount transferred to the state general fund pursuant to subsection 3 of NRS 377.050 and the sum of any amounts distributed pursuant to NRS 377.053; and

[(2)] *(b)* That proportion of the total amount of taxes which derive from that portion of the tax levied at the rate of one-half of 1 percent collected pursuant to this chapter during the preceding month from out-of-state business not maintaining a fixed place of business within this state which the population of that county bears to the total population of all counties which have in effect a city- county relief tax ordinance.

[(b) Remit] *2. The department shall apportion and the state controller shall remit* the amount determined for each county in the following manner:

[(1)] *(a)* If there is one incorporated city in the county, apportion the money between the city and the county general fund in proportion to the respective populations of the city and the unincorporated area of the county.

[(2)] *(b)* If there are two or more cities in the county, apportion all such money among the cities in proportion to their respective populations.

[(3)] *(c)* If there are no incorporated cities in the county, remit the

entire amount to the county treasurer for deposit in the county general fund.

[2.] *3.* The provisions [of paragraph (b)] of subsection [1] *2* do not apply to Carson City, where the treasurer shall deposit the entire amount determined [to] *for* the city and received from the state controller in the general fund.

[3. The governor shall annually, on or before January 1, certify the population of each county and city to be used for the purposes of this section during the fiscal year beginning on the following July 1.]".

Amend sec. 14, page 5, line 3, by deleting "$25." and inserting "[$25.] *$100.*".

Amend the bill as a whole by renumbering sections 17 and 18 as sections 18 and 19 and adding a new section, designated section 17, following section 16, to read as follows:

"Sec. 17. NRS 408.240 is hereby amended to read as follows:

408.240 1. Upon the written request of the board, the state controller shall draw his warrant in favor of the director in the sum of $250,000, and in such additional sums not exceeding a total of $250,000 as the board may from time to time request, and upon presentation of such a warrant to the state treasurer, the state treasurer shall pay it.

2. Such a sum of not more than $500,000 is designated as the state highway revolving [fund,] *account,* and may be used by the department for the purpose of paying the current payrolls of the department and other charges and obligations requiring prompt payment, and for no other purposes.

3. All money paid by the department from the state highway revolving [fund] *account* must, after payment thereof, be passed upon by the state board of examiners in the same manner as other claims against the state. When approved by the state board of examiners, the state controller shall draw his warrant for the amount of such money paid in favor of the state highway revolving [fund] *account* to be paid to the order of the director, and the state treasurer shall pay the warrant.

4. The director shall deposit the state highway revolving [fund] *account* in one or more banks of reputable standing and secure the deposit by a depositary bond satisfactory to the state board of examiners.".

Amend the bill as a whole by deleting section 19.

Amend the title of the bill, second line, after "funds;" by inserting: "consolidating the provisions regarding the governor's certification of population for tax purposes;".

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblyman Bourne.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 328.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 360.

Amend section 1, page 1, lines 10 and 11, by deleting "*or destroy them.*" and inserting: "*, store their contents on microfilm or return them to the appropriate insurer.*".

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblyman Bourne.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 368.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 404.

Amend section 1, page 1, line 3, by deleting "*for reasonable*" and inserting: "*a procedure for review and for*".

Amend section 1, page 1, line 4, after "*of*" by inserting "*new*".

Amend section 1, page 1, line 5, by deleting: "*situated on real property*" and inserting: "*on lots for single-family residences*".

Amend section 1, page 1, by deleting line 7 and inserting:

"*(a) Minimum livable area;*".

Amend section 1, page 1, by deleting lines 10 through 12 and inserting:

"*(d) Siding and roofing materials;*

(e) Foundations and methods of installation;

(f) Setbacks, yards and lot coverage;

(g) Enclosures, access and parking;

(h) Capacity of roofs to bear a snow load;

(i) Overhang of roofs; and

(j) Insulation and resistance to wind,".

Amend section 1, page 1, by deleting line 15 and inserting:

"2. *The placement of a new manufactured home on a lot for single-family residences may be prohibited if it:*

(a) Fails to".

Amend section 1, page 1, line 16, by deleting ", *but*" and inserting "*; or*

(b) Does not favorably compare with other homes built in the area, but".

Amend section 1, page 1, line 19, after "*dwelling*" by inserting: "*to be placed on a permanent foundation*".

Amend section 1, page 2, lines 1 and 2, by deleting "*July 1, 1983.*" and inserting "*January 1, 1984.*".

Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:

"Sec. 2. This act shall become effective January 1, 1984.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 187; Assembly Joint Resolutions Nos. 13, 17; Senate Bills Nos. 173, 174 and 198 be taken from the General File and placed on the General File for the next legislative day.
Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 123; Senate Bill No. 114; Assembly Concurrent Resolution No. 23.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Earl Mackey, William F. Passannante and Major James D. Latham.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Brigador General Fred Michel.

On request of Assemblyman Jeffrey, the privilege of the floor of the Assembly Chamber for this day was extended to Major Bob Fleer.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Major Larry Stellmon.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Lieutenant Colonel Giles E. Vanderhoof.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Lieutenant Colonel John Molini.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Adjutant General William Engel.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Major Kevin Collins and Mr. Gene Simon.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Captain Jerald L. Thomas.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Colonel Wayne B. Adams, Jr.

On request of Assemblyman Brady, the privilege of the floor of the Assembly Chamber for this day was extended to Captain A. R. Minkel.

On request of Assemblyman Berkley, the privilege of the floor of the Assembly Chamber for this day was extended to Captain Howard Attarian.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Major Schumpert C. "Hoss" Jones.

On request of Assemblyman Kovacs, the privilege of the floor of the Assembly Chamber for this day was extended to First Lieutenant Dan Cooley.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Kimberly Redelsperger and Airman Timothy Redelsperger.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Captain Steven R. Chealander.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Captain John R. Bostick.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Major Jim Bailey.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. James V. Dimaria.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, April 7, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 1:54 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-FIRST DAY

CARSON CITY (Thursday), April 7, 1983

Assembly called to order at 11:03 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Ronald B. League.

Father, we thank you for placing within each of us a desire for aspiration and achievement. We praise you as our creator for building in us the ability to choose and to reason, and we thank you that you have promised to give us wisdom and love as we choose together and reason together. Lord, your word declares that we are to pray for those who govern us, and we take that opportunity now, to ask you to bless, guide, and strengthen each member of this legislative body. We ask you to bless every decision made in these chambers today. We praise you that you are a living God and that you hear and answer each of our prayers. We give you the glory and honor and ask these things in the name of your Son Jesus.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Brady 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.

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

Assembly in recess at 11:07 a.m.

ASSEMBLY IN SESSION

At 11:32 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker pro Tempore appointed Assemblymen Price and Stewart as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Chief Justice Manoukian.

The President of the Senate, the President pro Tempore of the Senate and Members of the Senate appeared before the bar of the Assembly.

Mr. Speaker pro Tempore invited the President and President pro Tempore of the Senate to the Speaker's rostrum.

Mr. Speaker pro Tempore invited the Members of the Senate to chairs in the Assembly.

IN JOINT SESSION

At 11:41 a.m.
President of the Senate presiding.

The Secretary of the Senate called the Senate roll.
All present except Senator Lamb, who was excused.

The Chief Clerk of the Assembly called the Assembly roll.
All present except Mr. Speaker, who was excused.

The President of the Senate appointed a Committee on Escort consisting of Senator Wilson and Assemblyman Fay to wait upon Chief Justice Manoukian and escort him to the Assembly Chamber.

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

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

The President of the Senate welcomed the Chief Justice and invited him to deliver his message.

The Chief Justice delivered his message as follows:

Mr. President, Mr. Speaker, Senators, Assemblymen, Distinguished Guests, fellow Justices, State Officials, My Mother, Fellow Nevadans:

I was also going to open up saying it's also nice to be back, but I haven't been anywhere. I want to preliminarily mention that Justices Gunderson and Springer are irrevocably committed to the judging of semi-final and final moot court competition at Southwestern University School of Law in southern California and, therefore, will not be in attendance. Justice Gunderson's lovely wife, Lupe, of course, is here.

My fellow Justices and I appreciate this opportunity to report on the State of the Judiciary. It is well understood that our three great Branches are separate and independent, and that the powers of government are constitutionally divided among them. No branch is to reign supreme; we are equal partners. Although this system has proved effective for over 118 years in this state, every two years, for some inexplicable reason, the Legislative Branch seems just a little more equal than its other partners!

This occasion, of course, has a rich heritage. In February of 1979, then Chief Justice John Mowbray reminded this august body that the unique responsibility of the Judicial Branch "is to insure (with impartiality and without intimidation) that our individual rights under the constitution are protected and that legislation remains within the confines of our State and Federal Constitutions."

As vital as this responsibility is to the continued success of our "checks-and-balances" system of government, the increasing case loads which the state judiciary is presently experiencing forces judges to expend more resources in purely administrative remedies designed to stem the tide of litigation. In short, judges no longer have the luxury of the time and the freshness of mind which are indispensible to reflective, unhurried decision making. For the most part, this report addresses the burgeoning case loads and the Judiciary's response to this challenge.

The Supreme Court case load has increased dramatically and steadily. In 1982 alone, 746 civil and criminal cases were filed. Filings for the first quarter's statistics for 1983 are nearly 20 percent higher than the same period for the last two years. If this trend continues, the Supreme Court will be confronted with approximately 900 new filings in 1983.

Many reasons exist for this appellate "litigation explosion." Presently, there are more than 2,200 attorneys in this state. With the addition of 8 new district court judgeships, the state boasts of 35 district judges. New legislation continues to renew incentives, both in the criminal and civil arenas, for lawsuits.

The 1981 tax package and the Drug Paraphernalia Act are two of the many examples of legislation which has engendered litigation. The growth of the administrative arm of

the Executive Branch has expanded the Judiciary's duties of administrative review. As civil cases have become more complex, discovery and motion practice have escalated.

We are struggling, with limited success, to keep abreast of the dramatic increase in case load. In 1982, of the 746 criminal and civil filings, the Court disposed of more than 700 cases. Unfortunately, at the end of the year there remained a backlog of 708 cases. This disposition rate will be difficult to maintain. Many of the cases disposed of last year involved less substantial issues. Unhappily, this practice effectively deferred consideration of the more significant and difficult cases until 1983. I feel compelled to modify that trend at the probable expense of production statistics.

As indicated to your finance committees, we desperately need a minimum of two additional Central Staff attorneys and salary appropriations for our lawyers and other personnel which are commensurate with salaries of similar personnel in the two other Branches. We have an excellent legal staff. However, because of substantial disparities in salaries, the Supreme Court is not competitive and we often lose our seasoned personnel to the other branches of Government or to the private sector.

If granted, this request will enable the Justices and their clerks to promptly address and dispose of the more substantive cases, including those involving the public interest.

Because of the dim fiscal picture, I have not renewed the call for an Intermediate Court of Appeals. Although this proposal was defeated at the polls in November 1980, it would significantly reduce the caseload we face at the Supreme Court.

Nevertheless, we request a modest budgetary increase to enhance our professional staff and their components, even though some state agencies are accepting budget reductions. On the other hand, we have informed your Finance and Ways and Means Committees that some of the Court's personnel and other budget proposals should be reduced. Moreover, Senate Bill No. 206, now on its way to the Assembly, will generate more revenue and greatly defray any added budgetary expense by increasing filing fees and the cost for Advance Opinions. Several other revenue producing proposals have our full support. Assembly Bill No. 339 imposes an additional filing fee in civil actions to support legal aid programs for the elderly. Part of the increased revenues from Senate Bill No. 235, which increases fees for filing civil actions, will go to the State General Fund. In addition, Assembly Bill No. 44 requires judges and justices to add to a fine imposed in any criminal case, $10 for costs. These funds would be used primarily to defray operational and improvement costs at the lower court level, with the remainder for juvenile services well justified and Peace Officers' Standards and Training programs.

If the number of filings continues at its present rate, the Supreme Court will be overwhelmed. Although we have adopted internal procedures to expedite case disposition and will continue to study alternatives to relieve the increasing case load, a solution is not in sight.

DISTRICT COURTS:

In our metropolitan judicial districts, civil cases are generally being tried within four to nine months after the case is ready for trial; civil cases in most of the State's rural judicial districts are being heard within three to six months. Throughout the state, criminal cases receive a trial much more rapidly than civil litigation, attributable largely to the 60-day rule. I must say that this development is encouraging.

A large part of the credit for this accomplishment belongs to the Legislature. The enactment of Senate Bill No. 129 in 1979 which repealed pretrial review of district court denials of habeas corpus petitions eliminated an unnecessary and lengthy delay in criminal proceedings. The Judiciary also appreciates the Legislature's responsiveness in creating 8 new district court judgeships. Of the 35 district court judges, the Eighth District (Clark County) has 16; the Second District (Washoe County) has 9; the Sixth District (Pershing, Humboldt and Lander Counties) and the Ninth District (Douglas County) have 2; the remaining 5 Judicial Disricts each have 1 apiece. Although these additional judgeships have expedited cases and increased dispositions at the district court level, they have also increased the number of appeals to the Supreme Court.

Innovations employed by several judicial districts have also contributed to the rate of disposition at the trial level. Several Judicial Districts utilize Special Masters in juvenile proceedings. In 1980, more than 20,000 decisions were made by Clark County Juvenile Masters. The Eighth Judicial District also authorizes Masters to hear paternity, child support (URESA) and mental commitment proceedings. In 1982, Clark County URESA Masters collected approximately $5 million, which went to the support of children. Additionally, Clark County has further accelerated the disposition of criminal cases.

JURIES—CLARK COUNTY:

The right to a trial before one's peers is an indispensable constitutional right. Implementation of this right in our trial courts has proven to be costly and time consuming for the litigants, the prospective jurors and the court system. In 1980, however, this Legislature authorized the Eighth Judicial District to employ a Jury Commissioner and to utilize a computer to fully automate the jury selection process. Clark County's nationally renowned space age jury system has reduced the cost of a jury trial by $470. Jurors are no longer on duty for 60 days. Clark County employs the "one-day, one-trial" system whereby a juror must only appear on the date scheduled for the trials to commence that day. If not selected for one of these trials, the juror is permanently excused.

JURIES—WASHOE COUNTY:

Washoe County has benefited from Clark County's experience. Like Clark County, Washoe County employs a "one-day, or one-trial" system. Prospective jurors in Washoe County need only pick up a telephone to determine whether or not they must report to the court. Additionally, prospective jurors no longer need to appear in court to determine whether they are qualified to serve. Instead, a questionnaire is mailed to each juror who then, if qualified, is encoded into a computer and randomly selected. Although no figures are presently available, savings similar to those experienced in Clark County are expected.

JUSTICE AND MUNICIPAL COURTS:

Funded at the local level, these courts with the exception of Washoe County presently have sufficient personnel to administer Justice in a responsible manner. This is so, notwithstanding the 1979 Legislature, which increased the monetary jurisdiction of Justice Courts from $300 to $1,250.

The Nevada Judges Association, comprised of 75 Justices of the Peace and Municipal Court Judges, has fully participated in initial and continuing judicial education programs offered through the National Judicial College. They have also participated in biannual seminars, generally conducted by Nevada court and legal personnel. These programs have been organized and conducted through our Administrative Office of the Courts. Our educational programming has become the model for the National Judges Association.

The Municipal Courts in Las Vegas, comprised of four judges, with Chief Judge Seymore Brown presiding, have instituted a number of innovations which are cost-effective and much more convenient to those appearing before the court. Several instances include:

1. Video arraignments resulting in savings of thousands of dollars in the transportation of inmates.
2. Video taped instructions of defendant—traffic and other offenders' rights, immediately preceding their court appearances.
3. Twenty-four hour courts, with clerks available to accept payment of fines, posting of bail, etc.
4. The use of credit card payments for fines and bail bonds.

Clearly, the use of modern technology has helped the Municipal Courts in Las

Vegas. There, notwithstanding the case load, no backlog exists and trials occur within six weeks from the date of arrest.

EDUCATION

A well educated Bench and Bar, of course, will assist in expediting case disposition. The Judiciary has developed three areas of post-graduate education.

MANDATORY CONTINUING LEGAL EDUCATION:

Effective February 1982, pursuant to a State Bar petition and with substantial support from the Nevada Trial Lawyers Association, the Supreme Court adopted mandatory continuing legal education requirements for our Bar and our Bench to insure that our court personnel were well briefed on the most current developments in the law. It is going smoothly. We are a national leader, being among a handful of states that have adopted mandatory continuing legal education. I am confident that these requirements will upgrade not only the quality of lawyers' work, but also the quality of judges' work.

Surely, lawyers and judges, like other professionals, should be required to maintain their skills, not only through routine practice, but through programs of continuing legal education. With the growth of our State Bar, the Judiciary has a responsibility to implement such measures to insure that Nevadans are represented and judged by the most qualified and best educated Bar and Bench in the Nation. To this end, in December 1982 our Central Staff, in conjunction with the State Bar, with we Justices participating, conducted two most worthwhile courses on Nevada appellate practice in Las Vegas and Carson City. This provided education to many attorneys who are, for the most part, unfamiliar with appellate practice.

THE NATIONAL JUDICIAL COLLEGE:

Presently, there are several appropriation requests before you for the National Judicial College in Reno. Unfortunately, this institution can no longer rely on the approximate one-half million dollar annual contribution from the Max C. Fleischmann Foundation. The Foundation, which provided approximately 25 percent of the College's operating expenses, has, of course, terminated. I have been informed that an appropriation of $250,000 annually for four years would grant the College sufficient "breathing space" to develop alternative Nevada funding sources. The College anticipates that at the end of the four years a substantial Nevada funding package would be assembled which would permit the College to remain permanently in Nevada without further legislative appropriation.

I attended the College as district judge and have continued to be affiliated with it, as have my fellow Justices, our District Judges, Justices of the Peace and Municipal Court Judges. It was at the College that I learned that, according to the great Chief Justice John Marshall, the distingishing characteristic of a truly great jurist is "the ability to look a lawyer straight in the eyes for two hours and not to hear a damned word he says." Fortunately, most of you are not judges because I have noticed that many of you have been looking me straight in the eyes for the past several minutes.

I wholeheartedly concur with the various statements of support for the National Judicial College from both national and state leaders, including Senator Paul Laxalt, former United States Attorney General Griffin Bell and current United States Attorney General William French Smith. Governor Richard Bryan recently endorsed the College in his State of the State Address, when discussing economic development. Nevada's Judicial Education Council has echoed his sentiments.

The College is the Mecca of fundamental and advanced judicial education for our State's and Nation's appellate, trial, administrative and other speciality judges. In the words of Griffin Bell, the College "has done more to improve the administration of Justice in our State courts than any other institute in the Country."

In addition to its effectiveness in the training of and providing of continuing education to our judges, the College has a very favorable impact on our State's economy. Annually, at least 1,500 judges from across the country attend seminars at the College. Frequently, their families accompany them to Reno for programs that run from one to five weeks. During the first 18 years that the National Judicial College has been located in the state, it has had an economic impact of nearly $170 million dollars.

With the loss of Fleischmann funds, a real and constant threat exists that the College might be taken from our State. The College is too complementary to our State's image,

too helpful to our economy and too convenient and beneficial to our Judiciary to risk losing.

If the College moves to another state, it will be much more expensive and impractical to provide the same quality education to our judges as they now receive. The cost of a single judicial error could be considerably more costly than the funding request now before your finance committees. I urge your support of any appropriation measures for the National Judicial College.

JUDICIAL EDUCATION COUNCIL:

Since 1977, the Judicial Education Council has provided the sole judicial forum in the state where all levels of the Nevada Judiciary can meet for constructive exchange. This forum has resulted in several significant developments:

1. A uniform traffic citation was developed, a very controversial one, and is in the process of being implemented.
2. Data collection on a statewide basis has been initiated through our Administrative Office of the Courts, with computer experimentation underway in the counties of Douglas and Lander.
3. With a view of further standarization, the Council is currently studying forms development, including pattern civil and criminal jury instructions. Adoption of uniform instructions would help avoid error at the trial court level.
4. The Council is a clearinghouse for legislative matters which emanate from and concern the Judiciary. In this manner, the Council can assess the soundness of a proposal, and determine how it would affect the Judiciary. Added district judgeships, increases in monetary limits for Justice Courts and the making of Justice Courts courts of records, are essentially Council initiatives, with the fine aid of our Administrative Office of the Courts. In this session, although the Council has submitted several legislative proposals, one of the most significant is Assembly Bill No. 44, which seeks to add a $10 administrative assessment fee in certain types of criminal cases. If this passes, it will allow court improvements at the expense of those contributing to the case loads.

THE SUPREME COURT

SUPREME COURT PHILOSOPHY:

I have noticed an unhealthy and unjustified development in our criminal justice system. Too many appeals are brought before the Supreme Court on the basis of "technicalities" previously unknown in American criminal law. In general, my fellow Justices agree with this observation. We are also in accord with the belief that the courts must restore a degree of deterrence. To accomplish this, we must communicate to the offenders and would-be offenders that the consequences of criminal conduct are swift and certain. Presently, the consequences are too drawn out through the trial and appellate process. Finality is imperative! Without it, deterrence is a mere illusion.

Of course, constitutional rights must be preserved; but we cannot forget that the basic function of a civilized society is protection of all of its members. In this vein, I applaud the proposal made by Governor Bryan in his biennial message to this Legislature that a good faith exception to the Exclusionary Rule be created by statute.

MODERNIZATION:

Like our brethren on the district courts, we Justices, with the Central Staff, have adopted new internal procedures with an eye on time and cost-effectiveness. Some examples are:

1. Screening of all appeals as soon as the trial transcript and all pertinent exhibits are filed to insure that all jurisdictional requirements have been met. This eliminates improper appeals at the earliest stage possible.
2. We are pre-screening cases for oral argument. This allows the Court's valuable oral argument time to be used only for the more substantive and complex cases.
3. Our Flexible Argument Calendar gives the litigants the opportunity to have their cases before the Court even though oral argument may not be helpful. This Flexible Calendar allows the Court to limit argument and conserve time. We are now setting more Flex cases. These cases are generally disposed of more expeditiously.

I will return to the matter of Court innovations shortly.

RULES:

Along with the several innovations in internal procedure, the Supreme Court has enacted, pursuant to its rulemaking authority, several measures which will improve our State Judiciary.

1. Media in the Courtroom:

Effective April 7, 1980, the Court, for an experimental period, inaugurated television and other media coverage of trial and appellate hearings, which has resulted in a greater media and public understanding of the judicial system.

On May 7, 1981, following its evaluation of the operation of our rules, the Nevada Advisory Commission on Cameras in the Courtroom chaired by District Judge Mike Fondi filed its "Final Statistical Report."

In my view, the Commission's findings and recommendations are positive and indicate that cameras should remain in our courts.

Incidentally, on the subject of demystifying the judicial process, I would like to briefly reiterate my support for that part of Assembly Joint Resolution No. 16 that opens the proceedings of the Judicial Discipline Commission and the records of those proceedings to the public.

2. Clients' Interest-Bearing Trust Accounts:

On March 23, 1983, the Supreme Court authorized the State Bar of Nevada to establish a tax-exempt Bar foundation to utilize the accrued interest from clients' interest-bearing trust accounts to provide services and benefits to the public. Our order involves deposits of short-term or nominal client funds, moneys which previously did not generate interest.

The tax-exempt Bar foundation will provide legal aid to the poor, provide student loans and help improve the administration of Justice. Robert Sader, your Assembly Majority Whip, very ably chaired this Bar committee. Although this is presently a voluntary program, I find it gratifying to note that most attorneys in this State do not subscribe to the old saying that "Where there is a fee, there is a remedy."

Impending federal government funding reductions of legal services organizations has resulted in a need for alternative funding for legal aid to the economically disadvantaged. Bar foundation grants of substantial sums would be an important public service to the community to fill the void. Support for legal aid and similar programs from this particular source will be an excellent response from the legal community to the current call for more volunteerism in replacing the already eroded government funding for legal representation of Society's needy.

3. Law Library:

In the past biennium, the Law Library has improved its services through access to two legal research data bases and through completion of several long-term projects.

The book collection has been catalogued and arranged according to national standards, making access easier. Approximately half the titles have been added to a statewide data base, which will allow other libraries easy access to the collection for borrowing. Funding provided by the 1981 legislative session was used to replace back files of the 50 states' session laws with microfiche, providing the Library with much needed shelf space.

Nevertheless, the Library continues to suffer from lack of space, which can be alleviated only so far by the conversion of printed books to microfilm. The book budget, though adequate, is being eroded by undiminished inflation in law book prices. Assembly Bill No. 312, which increases financial support for county law libraries, should augment legal materials which are available statewide.

We request that you amend the judicial retirement law by providing for disability situations, consistent with the disability retirement provisions contained in the Public Employees' Retirement System.

We equally support any early retirement proposals which would place members of our Judiciary on a parity with other state employees. See NRS 286.510(4).

Naturally, we also request that any legislation that would place surviving spouses of judicial officers in a position of receiving benefits equivalent to those benefits provided to the spouse of a member of the State Employees' Retirement System be approved.

All of the foregoing would serve to improve the quality of the Judiciary, as well as benefit the judges, their loved ones and the public.

WHERE ARE WE HEADED IN THE 1980'S

We must continue to seek appropriate means of becoming a more modern, productive Judiciary. We have made very good progress thus far, but there is more that can be done to better manage the resources that we have. I have set several goals over the next two years.

First, we must reduce the delays, especially in civil cases. As an attorney and a judge, I have observed numerous cases involving intolerable delays in dispositions—delays that held the parties in suspense from one to five years. The Supreme Court is not without fault and on occasion, some district courts have been very tardy in disposing of cases. The litigants are entitled to know where they stand without waiting inordinate periods of time for a resolution. Most judges, legislators, attorneys, parties and the public have reached a breaking point regarding case delay.

I shall submit a proposed rule to my fellow Justices that would require that following submission of a case, the responsible judge or justice must propose or file an opinion or decision within 90 to 120 days in the Supreme Court and 150 to 180 days in the trial court level. Sanctions for noncompliance will also be proposed.

On March 4, 1983, our Judicial Education Council and its Legislative Committee unanimously endorsed such a rule. Admittedly, this proposal does not address the problem of unsubmitted cases which have not been set for trial or heard. The answer to that dilemma is more judges, more staff and innovations, including non-judicial routes, such as arbitration and bills like Senate Bill No. 192 (employment of referees in divorce cases) and Senate Bill No. 193 (summary proceedings in uncontested divorces).

Secondly, the Nevada Rules of Appellate Procedure require that appellants' counsel designate the Record on Appeal. On the suggestion of District Judge Mike Griffin, we should consider adopting a Supreme Court Rule which will require that an attorney must demonstrate the materiality of the record to the issues on appeal. Too often we receive materials that have little or no bearing on the appeal. In the case of convicted indigent defendants, the record is supplied at public expense. By limiting the size of the transcript, we would conserve public funds, avoid unnecessary extensions presently sought for transcript preparation, save review time, thereby reducing case delay.

Third, we are closely reviewing requests made by both governmental, as well as private attorneys, for extensions of time for briefing cases on appeal criminal cases, particularly. The Bar has already responded favorably. For example, the Washoe County District Attorney's office has added legal personnel to its Appellate Division to reduce the size of its backlog.

Fourth, although we like to think of our judicial system as providing an opportunity for every litigant to have his day in court before a judicial officer, the number and costs of hearings and trials has made this impractical. Therefore, I am proposing legislation that would require mandatory, nonbinding arbitration for any civil action for monetary damages of less than $15,000. The measure relates to court congestion and the length of disposition of civil cases and would relieve the litigation burden experienced by judicial districts with more than five or more judges. Mandatory arbitration would not preclude a subsequent court trial; rather it would be a condition precedent to a trial. It would also induce settlement. It is generally cheaper and speedier than a trial, is less devastating to the parties and will produce a satisfactory result.

Similar legislation and court rules both at the federal and state levels, have been most successful in minimizing court filings. Statistics from other jurisdictions indicate that a very low percentage of the arbitrated cases eventually go to trial. If it succeeds, this proposal would eliminate a significant portion of the civil claims for monetary damages under $15,000. Therefore, I commend it to you as a worthwhile endeavor.

Fifth, we have recently revised the rules for our Justice Courts. One revision limits discovery. This is a small step toward costs reduction at that level. The costs of discovery in a routine district court civil proceeding can, however, be overwhelming. We must experiment with procedures to streamline motions and discovery to reduce costs and delay.

Incidentally, I would like to indicate my support for Senate Bill No.211, which would reduce the size of criminal trial juries and limit peremptory challenges in Justice Courts. This measure would not affect the fairness of a trial and would be both cost and time efficient.

Sixth, the Supreme Court, which comprises a work force of over 40 persons, is presently working on a set of personnel rules, patterned largely after the State Personnel Rules. The Legislature, in particular the finance committees, have for sometime been anxious to have the Judicial Branch be more responsive and accountable regarding the adoption of such rules. I favor such adoption! The adoption of a meaningful set of rules will avoid problems that the Court has experienced in the past. I am confident that the Court, as presently constituted, will be receptive to adopting such rules.

Seventh, I have instructed the Court and staff to give priority to the following types of cases: child custody, cases involving suspension or revocation of professional licenses, grants or denials of restraining orders, death penalty cases, all juvenile proceedings, venue questions, pre-trial suppression appeals and others in which rights and liabilities are so dependent upon a speedy resolution. By expediting these types of cases, the public will be better protected and the parties can better adjust to the results.

Although none of the foregoing offer a panacea for our case load problems, they would be of great assistance.

Finally, as Chairman of the Nevada Judicial Education Council, I will appoint a committee to study jury management. We need comprehensive statewide standards for juries to reduce expenses and utilize more efficiently the jurors' time.

In summary, the Nevada Judiciary is straining under an ever increasing case load. This "litigation explosion" has slowed the rate of disposition and, in some cases, adversely affected the quality of decisions. Our judicial districts and the Supreme Court have partially met this challenge through innovations such as the jury system and the revised Flexible Argument Calendar. The proposed mandatory arbitration act shows great promise as an efficient "alternative dispute resolution mechanism." Although more improvements have been proposed, the Judicial Branch simply needs more personnel to handle this load.

The loss of the National Judicial College would strike a tremendous blow to this State's stature as a center for judicial education. Coincidentally, the State would suffer both in the loss of tourism and in the loss of a readily available high quality resource for the education of our own judiciary.

In closing, we must not lose sight of the objective of making Justice more speedy, more efficient and more cost effective for all concerned.

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

Motion carried.

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

Assemblyman Marvel moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 12:20 p.m.

ASSEMBLY IN SESSION

At 12:27 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 233, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Taxation.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 378, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 149, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 349, 385; Senate Bills Nos. 168, 195, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Bill No. 135, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 6, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 88, 117, 165, 169, 170, 171.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 28 and requests a second conference, and appointed Senators Ashworth, Gibson and Wagner as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 28.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 198.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 19.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 162.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 131, 132.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 469—An Act relating to taxation; providing for the submission to the registered voters at the special election in 1983 of the question whether the Sales and Use Tax Act of 1955 should be amended to impose those taxes on governmental contractors and impose the use tax wherever an out-of-state sale would have been taxable if made in Nevada; amending certain analogous taxes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 470—An Act relating to taxation; imposing a state tax on lodging to support the promotion of tourism and economic development; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 471—An Act relating to relations between local governments and their employees; providing for submission of a dispute between police officers and a local government to a factfinder and arbitrator; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 472—An Act relating to industrial insurance; increasing the wages deemed earned by volunteer peace officers; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblyman Banner (by request):

Assembly Bill No. 473—An Act relating to the department of industrial relations; changing the composition of the advisory council; increasing the number of its members; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 474—An Act relating to indigents; authorizing the board of county commissioners to designate one or more hospitals at which emergency medical care may be provided to indigent persons; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Getto, Dini, Redelsperger, Thompson, Bergevin, Marvel, Bilyeu, Jeffrey, Craddock, Joerg and Thomas:

Assembly Bill No. 475—An Act relating to water; limiting the application of certain requirements regarding permits for wells; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 131.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Senate Bill No. 132.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Senate Bill No. 162.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.
Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 129.
Bill read second time.
The following amendment was proposed by the Committee on Labor and Management:
Amendment No. 356.
Amend sec. 11, page 3, line 41, by deleting "[15] *20*" and inserting "15".
Amend sec. 12, page 4, line 6, by deleting "*20*" and inserting "*15*".
Amend the title of the bill, by deleting the third and fourth lines and inserting: "materials; and providing other".
Assemblyman Jeffrey moved the adoption of the amendment.
Remarks by Assemblyman Jeffrey.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Zimmer moved that Assembly Bill No. 106 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Zimmer.
Motion carried.

Assemblyman Dini moved that Assembly Bill No. 187 be taken from the General File and re-referred to the Committee on Ways and Means.
Remarks by Assemblyman Dini.
Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 146.
Bill read second time, ordered engrossed and to third reading.

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

Assembly in recess at 12:42 p.m.

ASSEMBLY IN SESSION

At 12:43 p.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 162.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 376.
Amend the bill as a whole by renumbering section 1 as section 2 and inserting a new section designated section 1, preceding section 1, to read as follows:
"Section 1. Chapter 453 of NRS is hereby amended by adding thereto a new section which shall read as follows:
1. When property is forfeited under the provisions of NRS 453.011 to 453.551, inclusive, and this section, the appropriate law enforcement agency may:
(a) Retain it for official use;
(b) Sell that which is not required to be destroyed by law and which is not harmful to the public; or
(c) Remove it for disposition in accordance with the law.
2. The proceeds from the sale of any property under the provisions of subsection 1 must be used for payment of all proper expenses of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of custody, advertising and court costs. Any balance remaining must be deposited:
(a) If one agent seized the property, in the general fund of the governing body which employs the agent;
(b) If the seizing agent is employed by a county's consolidated law enforcement agency, in the county's general fund and credited to the general funds of the other participating entities in the same proportion as other money is distributed among the participating entities;
(c) If agents from more than one agency were substantially involved in the seizure, in an equitable manner to be directed by the court which has jurisdiction over the forfeiture proceeding.
3. After a conveyance is forfeited and upon the presentation of adequate proof of title, the appropriate state agency shall issue a certificate of title for the conveyance to:
(a) The governing body awarded title by the court if the conveyance is retained for official use; or
(b) The purchaser if the conveyance is sold by the seizing agency.
4. Any agency which receives forfeited property or proceeds therefrom pursuant to this chapter shall file a quarterly report of the approximate value of the property and the amount of any such proceeds with the entity which has budgetary control of the agency. Anticipated future forfeitures must not be considered in the budgetary planning for a law enforcement agency.".

Amend section 1, page 2, line 1, after "transportation," by inserting: "*concealment, manufacture or protection,*".

Amend section 1, page 2, by deleting lines 26 through 39 and inserting:

"7. Except as provided in this subsection, everything of value furnished or intended to be furnished in exchange for a controlled substance in violation of the provisions of NRS 453.011 to 453.551, inclusive, all proceeds traceable to such an exchange, and all money, negotiable instruments and securities used or intended to be used to facilitate a violation of the provisions of NRS 453.011 to 453.551, inclusive. No person's interest in property may be forfeited pursuant to this subsection by reason of any act or omission which he establishes was committed or omitted without his knowledge or consent. [There] *If an amount of cash which exceeds $300 is found in the possession of a person who is arrested for a violation of NRS 453.337 or 453.338, then there* is a rebuttable presumption that [all money found in close proximity to forfeitable controlled substances, drug paraphernalia or records] *the cash is traceable to an exchange for a controlled substance and* is subject to forefeiture pursuant to this subsection.".

Amend the bill as a whole by inserting new sections, designated sections 3 and 4, following section 1, to read as follows:

"Sec. 3. NRS 453.306 is hereby amended to read as follows:

453.306 1. Property subject to forfeiture under the provisions of NRS 453.011 to 453.551, inclusive, may be seized by the division or other law enforcement agency upon process issued by any magistrate having jurisdiction over the property.

2. Seizure without process may be made if:

(a) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(b) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon the provisions of NRS 453.011 to 453.551, inclusive;

(c) The division or other law enforcement agency has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or

(d) The division or other law enforcement agency has probable cause to believe that the property was used or is intended to be used in violation of the provisions of NRS 453.011 to 453.551, inclusive.

3. In the event of seizure pursuant to subsection 2, proceedings under subsection 4 [shall] *must* be instituted promptly and [shall] have priority over other civil proceedings.

4. Property taken or detained under this section and NRS 453.301 [shall not be] *is not* subject to replevin, but is [deemed to be] in the custody of the division or other agency, as the case may be, subject only to the orders and decrees of the court having jurisdiction over the forfeiture proceedings. When property is seized under the provisions of NRS 453.011 to 453.551, inclusive, the division or other agency may:

(a) Place the property under seal;

(b) Remove the property to a place designated by the agency seizing the property; or

(c) Remove it to an appropriate location for disposition in accordance with law.

[5. When property is forfeited under the provisions of NRS 453.011 to 453.551, inclusive, the appropriate law enforcement agency may:

(a) Retain it for official use;

(b) Sell that which is not required to be destroyed by law and which is not harmful to the public;

(c) Remove it for disposition in accordance with the law.

6. The proceeds from the sale of any property under the provisions of subsection 5 shall be used for payment of all proper expenses of the proceedings for forfeiture and sale, including expenses of seizure, maintenance of custody, advertising and court costs. Any balance remaining shall be deposited in the state permanent school fund.]

Sec. 4. Section 2 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Amend the title of the bill, third line, after ''exchange;'' by inserting: ''providing for the distribution of the forfeited property and its proceeds;''.

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblyman Humke.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 359.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 399.

Amend section 1, page 1, line 2, by deleting ''*1.*''.

Amend section 1, page 1, line 5, by deleting ''[1.] *(a)*'' and inserting ''1.''.

Amend section 1, page 1, by deleting line 6 and inserting:

''2. Based on two or more *similar* acts or transac-''.

Amend section 1, page 1, by deleting lines 9 through 14.

Amend the title of the bill to read as follows:

''An Act relating to criminal procedures; conforming the provisions for joinder of criminal offenses to the federal rule; and providing other matters properly relating thereto.''.

Amend the summary of the bill to read as follows: ''Conforms provisions for joinder of criminal offenses to federal rule.''.

Assemblyman Berkley moved the adoption of the amendment.

Remarks by Assemblyman Berkley.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 157.

Bill read second time and ordered to third reading.

Senate Bill No. 252.
Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 139.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 139:

YEAS—42.
NAYS—None.

Assembly Bill No. 139 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 148.
Bill read third time.
Remarks by Assemblyman Bilyeu.
Roll call on Assembly Bill No. 148:

YEAS—42.
NAYS—None.

Assembly Bill No. 148 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

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

Assembly in recess at 12:51 p.m.

ASSEMBLY IN SESSION

At 12:52 p.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 158.
Bill read third time.
Remarks by Assemblymen Berkley, Price, Dini, Sader, May, Stone, Schofield Kovacs and Collins.
Assemblyman May moved that Assembly Bill No. 158 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

Assembly Bill No. 163.
Bill read third time.
Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 163:

YEAS—42.

NAYS—None.

Assembly Bill No. 163 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 254.

Bill read third time.

The following amendment was proposed by Assemblyman Jeffrey:

Amendment No. 361.

Amend the bill as a whole by adding a new section, designated section 4.5, following section 4, to read as follows:

"Sec. 4.5. NRS 616.086 is hereby amended to read as follows:

616.086 Any person who is an apprentice shall be deemed an employee who is receiving a wage of $150 per month for the purposes of this chapter [, and is] . *Any injury to the apprentice which occurs in the course of instruction required as a part of his apprenticeship shall be deemed to have occurred in the course of his employment and he is therefore* entitled to the benefits of this chapter, if he is not employed elsewhere [,] and he is:

1. Attending a class for vocational training; or
2. Receiving bona fide instruction as an apprentice,

under the direction of an apprenticeship committee registered with the state apprenticeship council.".

Amend sec. 10, page 5, line 6, by deleting "*a*" and inserting "a".

Amend sec. 10, page 5, line 9, after "physician" by inserting: ", or a chiropractor if the change in circumstances reasonably indicates treatment that is within the lawful scope of chiropractic,".

Amend sec. 10, page 5, line 14, by deleting the period and inserting "or a chiropractor.".

Amend sec. 10, page 5, line 19, by deleting the comma and inserting "or chiropractor,".

Amend the bill as a whole by adding a new section, designated section 13, following section 12, to read as follows:

"Sec. 13. Section 10 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 336.

Bill read third time.

Remarks by Assemblymen Bilyeu and Dini.

Assemblyman Dini moved that Assembly Bill No. 336 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Dini.

Motion carried.

Assembly Joint Resolution No. 13.
Resolution read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Joint Resolution No. 13:

YEAS—42.
NAYS—None.

Assembly Joint Resolution No. 13 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Assembly Joint Resolution No. 16 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Stewart.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 17.
Resolution read third time.
Remarks by Assemblyman Marvel.
Roll call on Assembly Joint Resolution No. 17:

YEAS—41.
NAYS—None.
Not voting—Bourne.

Assembly Joint Resolution No. 17 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Senate Bill No. 35.
Bill read third time.
Remarks by Assemblyman Beyer.
Roll call on Senate Bill No. 35:

YEAS—40.
NAYS—Chaney, Joerg—2.

Senate Bill No. 35 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 173, 174 and 198 be taken from the General File and placed on the General File for the next legislative day.
Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 215; Senate Concurrent Resolutions Nos. 22, 23.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Richard Kreps.

On request of Assemblyman Craddock, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Bretia D. Chandler.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Roseann Frost and Lyndi Frost.

On request of Assemblyman Kovacs, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Karon Brewster.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Linus Adler.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Kahn, Stewart and eighth grade students from Fernley High School, Fernley, Nevada: Tammie Balbini, Tony Durate, Jason Fletcher, Anna Hagberg, Shawn Hodge, David Johnson, Delos Jones, Bridgette Pena, Cindy Reynolds, Roy Sanches, Shannon Saylor, Gerri Sheeler, Candy Sickles, Frank Silva, Julie Tillman, Malia Ambrosius, Ricky Bell, John Casey, Bruce Chase, Henry Bryant, Connie Davis, Dawn Freedle, Donovan Garrett, Tom Grenon, Cheryl Hollingsworth, Alan Jenne, Burl Lawson, Vito Locricchio, Jeff Macedo, Kenny Miller, Bobby Moomaw, George Shaw, Angel Singley, Tina Tilton, Jamie Walsh, Devin Webb, Sean Whitney and Richie Gwinn.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. June Bell and fourth grade students from Hunter Lake School, Reno, Nevada: Fabiola Aguilar, Joaquin Arevalo, Kimo Baron, Yrune Basterrechea, Stephenie Burell, Dyana Church, Michael Conder, Jackie Edwards, Ismael Escamilla, Chris Heuberger, Theresa Maestretti, Bradley Meyer, Michelle Metz, Jason Mills, Christine Moore, Jennifer Pass, Kellie Pirkey, Richard Rechhart, Qali Roberts-Ross, Karen Schwarz, Stephen Searle, Justin Slotto, Tina Telles, Steven Thompson, Carrie Wick, Justin Wilde, Whitney Windsor and Griffin Wood.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. DeLos Jones.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, April 8, 1983, at 10 a.m.

Motion carried.

Assembly adjourned at 1:23 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-SECOND DAY

CARSON CITY (Friday), April 8, 1983

Assembly called to order at 10:16 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplains, The Reverend Ronald B. League and Dr. Karl Swain.

Oh, God, you are so almighty that you have created the heavens and the earth, the light and the darkness, the plants upon the earth that bear grain and fruits, the birds of the air and fishes of the sea and finally human life to have stewardship of dominion over all your creation. Lead us now that we may now fulfill the sacred trust with sincerity, honest justice and compassion. But lead this assembly foremostly to act with courage for the common good of the people of this great state. Lead them into the paths of righteousness for your Name's sake. Let them ever be mindful that to whom much is given, all the more is required. At the time, bless them with a "well done" now and then so that they may know that to labor in the Lord is not to labor in vain. And that even the bitter tears are swallowed up in sweet victory. Finally emblaze in our hearts the breast plates of battle the words of a great American patriot and servant who admonishes us still "the moral test of a government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those in the shadows of life, the sick, the needy and the unemployed.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 384 has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 116, 118, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 423, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 6, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 28.

MAE LOFTHOUSE
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, April 7, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 13, 242.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 216 and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 11, 25.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 276.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 5, 170, 207.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Joerg:

Assembly Joint Resolution No. 26—Memorializing Congress to abolish the federal estate tax and allow an interim credit for gifts to states.

Assemblyman Joerg moved that the resolution be referred to the Committee on Taxation.

Motion carried.

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

Assembly in recess at 10:22 a.m.

ASSEMBLY IN SESSION

At 10:32 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Beyer:

Assembly Concurrent Resolution No. 26—Directing the legislative commission to study the feasibility of establishing a regional authority for domestic and waste water facilities in Washoe County.

Assemblyman Beyer moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblymen Brady, Jeffrey, Vergiels, Kovacs, Berkley, Malone, Zimmer, Sedway, DuBois, Nicholas, Bremner and Ham:

Assembly Concurrent Resolution No. 27—Directing the legislative commission to study the gaming industry.

Assemblyman Brady moved that the resolution be referred to the Concurrent Committees on Judiciary and Legislative Functions.

Motion carried.

Assemblyman Dini moved that Assembly Bill No. 368 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Thompson moved that Assembly Bill No. 149 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Thompson moved that Senate Bill No. 135 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 61 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

Assemblyman Zimmer moved that Assembly Bill No. 106 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 476—An Act relating to law libraries; specifying the amounts to be collected from a court's fees to support those libraries; extending the collection of the amount for the support of the libraries to fees collected by justices' courts; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 477—An Act providing for dismissals of appeals in criminal cases; providing for dismissal of appeal if defendant fails to file a brief in the district court; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Zimmer:

Assembly Bill No. 478—An Act relating to collective bargaining by local governments; clarifying the schedule of mediation and factfinding; excluding special panels from the requirements for open meetings; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Beyer:

Assembly Bill No. 479—An Act relating to taxation; providing for submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to exempt orthotic, prosthetic and similar devices; contingently creating similar exemptions from certain analogous taxes; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Beyer (by request):

Assembly Bill No. 480—An Act relating to public works projects; removing provisions that require payment to contractors and subcontractors of interest earned by the state on money withheld from progress payments on public works projects; and providing other matters properly relating thereto.

Assemblyman Beyer moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblyman Beyer:

Assembly Bill No. 481—An Act relating to the county sewage and waste water law; extending these provisions to all counties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Beyer and Bourne:

Assembly Bill No. 482—An Act relating to the property tax; permitting quarterly adjustments of the tax levy for schools under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Banner, Thompson and Jeffrey:

Assembly Bill No. 483—An Act relating to wages; requiring the agreement by an employee for other than immediate payment to be in writing; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 484—An Act relating to state lands; allowing the

division to quitclaim its title to reserved minerals; repealing the action for declaratory judgment to determine the state's rights to such minerals; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Elections:

Assembly Bill No. 485—An Act relating to the University of Nevada; eliminating subdistricts for the election of members of the board of regents; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

By Assemblymen Brady, Jeffrey, Vergiels, Kovacs, Berkley, Malone, Zimmer, Sedway, DuBois, Nicholas, Bremner and Ham:

Assembly Bill No. 486—An Act relating to gaming; prohibiting the issuance of certain new licenses; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 487—An Act relating to group health insurance; requiring that policies include benefits for the care of mental and nervous conditions; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 488—An Act relating to crimes against property; prohibiting the removal of carts used for shopping, laundry or dry cleaning; regulating services to retrieve the carts; providing penalties; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 489—An Act relating to taxicab authorities; providing for an equal allocation of taxicabs among all certificate holders in a county having a taxicab authority; prohibiting limitations on geographical distribution in determining allocations; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Malone:

Assembly Bill No. 490—An Act relating to motor vehicles; requiring the owner of a motor vehicle to keep his certificate of registration in the vehicle; requiring the operator of the vehicle to surrender the certificate to certain officers upon demand; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Schofield, Stewart, Bourne, Sedway, May, Zimmer, Price, Francis, Sader and Redelsperger:

Assembly Bill No. 491—An Act relating to mobile home parks; vesting the enforcement of certain provisions regarding landlords and tenants with the manufactured housing division of the department of commerce; providing penalties; and providing other matters properly relating thereto.

Assemblyman Schofield moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Perry, Collins, Francis, Sedway, Craddock, Chaney, Sader, Stewart, Vergiels, Bogaert, Price, Jeffrey, Nicholas, Bilyeu, Thomas, Beyer, Brady, Bergevin, Marvel, Nevin, Kovacs, Stone, Fay, Getto, Joerg, Banner, Ham, Coffin, Bremner and Malone:

Assembly Bill No. 492—An Act relating to physical therapy; making various changes to provisions concerning physical therapists; and providing other matters properly relating thereto.

Assemblyman Perry moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 493—An Act relating to blood; providing standards for the storage and distribution of blood; establishing the minimum age to donate blood without consent; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 494—An Act relating to health care; regulating the practice of respiratory therapy; creating the examining committee for respiratory therapy; providing for its organization, powers and duties; providing for licensing and disciplinary actions; providing penalties; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 5.

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

Motion carried.

Senate Bill No. 28.

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

Motion carried.

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

Assembly in recess at 10:46 a.m.

ASSEMBLY IN SESSION

At 10:55 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 170.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Economic Development, Tourism and Mining.

Motion carried.

Senate Bill No. 207.

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

Motion carried.

Senate Bill No. 276.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Schofield, Vergiels, Nicholas, Chaney, Coffin, Sedway, Craddock, Berkley, Thompson, Dini, Jeffrey, Collins, Price, Bergevin, Malone, Nevin, Stone, Kovacs, Bourne, Banner, Perry, Ham, Kerns, Bogaert, Redelsperger, Humke and Fay:

Assembly Joint Resolution No. 27—Proposing to amend section 2 of article 4 of the constitution of the State of Nevada, relating to the legislature, by requiring limited sessions in even-numbered years.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That section 2 of article 4 of the constitution of the State of Nevada be amended to read as follows:

Sec. 2. The sessions of the Legislature shall be [biennial,] *annual,* and shall commence on the 3rd Monday of January [next ensuing the election of members of the Assembly,] *of each year,* unless the Governor of the State shall, in the interim, convene the Legislature by proclamation.

Assemblyman Kovacs moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 146.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 146:

YEAS—42.
NAYS—None.

Assembly Bill No. 146 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 322.
Bill read third time.
Remarks by Assemblyman Bourne.
Roll call on Assembly Bill No. 322:

YEAS—42.
NAYS—None.

Assembly Bill No. 322 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 328.
Bill read third time.
Remarks by Assemblyman Bourne.
Roll call on Assembly Bill No. 328:

YEAS—42.
NAYS—None.

Assembly Bill No. 328 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 157.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Senate Bill No. 157:

YEAS—42.
NAYS—None.

Senate Bill No. 157 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 173.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Senate Bill No. 173:

YEAS—42.
NAYS—None.

Senate Bill No. 173 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

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

Assembly in recess at 11:09 a.m.

ASSEMBLY IN SESSION

At 11:10 a.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 174.
Bill read third time.
Remarks by Assemblymen Nevin, Sader and Stewart.
Assemblyman Stewart moved that Senate Bill No. 174 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Stewart.
Motion carried.

Senate Bill No. 198
Bill read third time.
Remarks by Assemblymen Malone, Kovacs and Stewart.
Roll call on Senate Bill No. 198:
YEAS—42.
NAYS—None.
Senate Bill No. 198 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 252.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 252:
YEAS—42.
NAYS—None.
Senate Bill No. 252 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 106.
Bill read third time.
The following amendment was proposed by Assemblyman Zimmer:
Amendment No. 412.
Amend section 1, page 1, lines 4 and 5, by deleting the brackets.
Amend section 1, page 1, line 8, after "board" by inserting ".".
Amend section 1, page 1, by deleting lines 10 through 15 and inserting "committee.]".
Amend the title of the bill, second and third lines, by deleting: "changing the composition of the employee-management relations board;".
Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblymen Zimmer, Nicholas, Thompson, Dini, Jeffrey, Price, May and Thomas.

Amendment lost.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 106:

YEAS—40.

NAYS—Ham, Zimmer—2.

Assembly Bill No. 106 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Assembly Bill No. 233.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 405.

Amend the bill as a whole by deleting section 1 and renumbering sections 2 and 3 as sections 1 and 2.

Amend sec. 2, page 1, line 15, by deleting "$12,000" and inserting "[$12,000] *$14,000*".

Amend sec. 2, page 2, lines 6 through 8 by deleting all brackets and figures in italics.

Amend sec. 2, page 2, by deleting lines 9 through 13 and inserting:

"10,000		—	[11,000]	*12,000*	25
[11,000]	*12,000*	—	[12,000]	*14,000*	10

2. The amount of the allowance must not exceed".

Amend sec. 2, page 2, line 15, by deleting "[$500,] *$250,*" and inserting "$500,".

Amend sec. 3, page 2, line 17, by deleting "*1.*".

Amend sec. 3, page 2, line 20, by deleting "$12,000" and inserting "[$12,000] *$14,000*".

Amend sec. 3, page 2, by deleting lines 23 through 30 and inserting "tax".

Amend the bill as a whole by deleting sections 4 through 8.

Amend the title of the bill, second and third lines, by deleting: "providing for the payment of a rebate;".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Assemblyman May moved that Assembly Bill No. 233 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 349.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 367.

Amend section 1, page 1, line 17, by deleting "*value*" and inserting "*annual income*".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 378.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 385.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 365.

Amend section 1, page 1, line 19, by deleting the brackets.

Amend section 1, page 2, line 1, by deleting the brackets and "*or*".

Amend section 1, page 2, by deleting lines 2 through 12 and inserting: "for the purposes specified in this section.

4. During each fiscal year the state treasurer shall deposit the tax paid over to him by the commission as follows:

(a) The first [$5 million] *$5,000,000* of the tax in the capital construction fund for higher education;

(b) Twenty percent of the tax in the special capital construction fund for higher education; and

(c) The remainder of the tax in the state distributive school fund.".

Amend section 1, page 2, line 13, by inserting open bracket before "When".

Amend section 1, page 2, line 14, by deleting the brackets.

Amend section 1, page 2, line 23, by deleting the brackets and "*that*".

Amend section 1, page 2, line 24, by deleting "*state*".

Amend section 1, page 2, by deleting lines 25 and 26 and inserting: "fund in the state treasury but remains in those funds for authorized expenditure.] *There is hereby appropriated from the balance in the special capital construction fund for higher education on July 31 of each year the amount necessary to pay the principal and interest due in that fiscal year on the bonds issued pursuant to section 5 of chapter 679, Statutes of Nevada 1979. If in any year the balance in that fund is not sufficient for this purpose, the remainder necessary is hereby appropriated on July 31 from the capital construction fund for higher education. The balance remaining unappropriated in the capital construction fund for higher education on August 1 of each year and all amounts received thereafter during the fiscal year must be transferred to the state general fund.*".

Amend section 1, page 2, line 32, before "money" by inserting "*unappropriated*".

Amend the bill as a whole by deleting section 2.

Amend the title of the bill, first line, by deleting "the first $5 million" and inserting "part".

Amend the summary of the bill by deleting "first $5 million" and inserting "part".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 168.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 370.

Amend the bill as a whole by renumbering sections 1 and 2 as sections 4 and 5 and adding new sections, designated sections 1 through 3, preceding section 1, to read as follows:

"Section 1. NRS 341.020 is hereby amended to read as follows:

341.020 The state public works board, consisting of [10] *the chief of the budget division of the department of administration and nine* members to be appointed by the governor, is hereby created. [The state planning coordinator shall be appointed as one of the 10 members, and the chief of the budget division of the department of administration is ex officio a member of the state public works board.]

Sec. 2. NRS 341.060 is hereby amended to read as follows:

341.060 Within a reasonable time after the appointment of the members of the board, the board shall meet upon the call of the governor and shall organize by [:

1. Electing] *electing* a chairman [.

2. Selecting a secretary, who need not be a member of the board.] *and vice chairman.*

Sec. 3. NRS 341.100 is hereby amended to read as follows:

341.100 1. [The board may appoint a manager and technical supervisor, and such other technical and clerical assistants as may be necessary to carry into effect the purposes of its acts.

2. The manager and technical supervisor of the board and his deputy] *The governor shall appoint a manager and deputy manager for the board who* are in the unclassified service of the state.

[3.] 2. The manager [and technical supervisor of the board] and his deputy:

(a) Must each be a registered professional engineer pursuant to the provisions of chapter 625 of NRS or an architect licensed under the provisions of chapter 623 of NRS; and

(b) Shall each devote his entire time and attention to the business of his office and shall not pursue any other business or occupation or hold any other office of profit.

3. The manager shall serve as the secretary of the board.''.

Amend the title of the bill, first line, after ''buildings;'' by inserting: ''making various changes regarding the state public works board and its employees;''.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 195.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 371.

Amend sec. 2, page 2, lines 11 and 12 by deleting: '', within 8 years after the effective date of this act,''.

Amend sec. 2, page 2, line 14, by deleting the period and inserting: ''in accordance with the following schedule:

In the fiscal year 1984-85	$15,000
In the fiscal year 1985-86	7,500
In the fiscal year 1986-87	7,500
In the fiscal year 1987-88	7,500
In the fiscal year 1988-89	7,500
In the fiscal year 1989-90	7,500
In the fiscal year 1990-91	7,500

The scheduled amounts are the minimum amounts to be repaid during the corresponding fiscal years. The state forester firewarden may accelerate the repayment.''.

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 61.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 408.

Amend section 1, page 1, line 9, by deleting ''2'' and inserting ''*3*''.

Amend section 1, page 1, line 12, by deleting ''2'' and inserting ''*3*''.

Amend section 1, page 1, by deleting line 13 and inserting: ''*benefits provided are subject to all of the terms, conditions and exclusions contained in the*''.

Amend section 1, page 1, line 16, by deleting ''*ered or issued for delivery*'' and inserting: ''*ered, issued for delivery or renewed*''.

Amend sec. 2, page 2, line 18, by deleting ''*ered or issued for delivery*'' and inserting: ''*ered, issued for delivery or renewed*''.

Amend sec. 2, page 2, line 20, after ''*policy*'' by inserting ''*or the renewal*''.

Amend sec. 3, page 2, line 30, by deleting "2" and inserting "*3*".

Amend sec. 3, page 2, line 33, by deleting "2" and inserting "*3*".

Amend sec. 3, page 2, by deleting line 34, and inserting: "*benefits provided are subject to all of the terms, conditions and exclusions contained in the*".

Amend sec. 3, page 2, line 37, by deleting "*ered or issued for delivery*" and inserting: "*ered, issued for delivery or renewed*".

Amend sec. 3, page 2, line 39, after "*policy*" by inserting "*or the renewal*".

Amend sec. 4, page 3, line 6, by deleting "2" and inserting "*3*".

Amend sec. 4, page 3, line 9, by deleting "2" and inserting "*3*".

Amend sec. 4, page 3, by deleting line 10 and inserting: "*benefits provided are subject to all of the terms, conditions and exclusions contained in the*".

Amend sec. 4, page 3, line 13, by deleting "*ered or issued for delivery*" and inserting: "*ered, issued for delivery or renewed*".

Amend sec. 4, page 3, line 15, after "*policy*" by inserting "*or the renewal*".

Amend sec. 6, page 4, by deleting line 11 and inserting:

"Sec. 6. Chapter 608 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. If an employer provides health benefits for his employees which include coverage for the surgical procedure known as a mastectomy, he must also provide commensurate coverage for at least two prosthetic devices and for reconstructive surgery incident to the mastectomy. Except as otherwise provided in subsection 2, this coverage is subject to the same terms and conditions that apply to the coverage for the mastectomy.

2. If reconstructive surgery is begun within 3 years after a mastectomy, the amount of the benefits for that surgery must equal those amounts provided at the time of the mastectomy. If the surgery is begun more than 3 years after the mastectomy, the benefits provided are subject to all the terms, conditions and exclusions relating to those benefits at the time of the reconstructive surgery.".

Amend the bill as a whole by adding new sections designated sections 7 and 8, following section 6, to read as follows:

"Sec. 7. Chapter 616 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. If compensation is paid to an employee under this chapter for the surgical procedure known as a mastectomy, the employee is also entitled to receive commensurate compensation for at least two prosthetic devices and for reconstructive surgery incident to the mastectomy. Except as otherwise provided in subsection 2, this compensation is subject to the same requirements and conditions that apply to the compensation for the mastectomy.

2. If reconstructive surgery is begun within 3 years after a mastectomy, the amount of the compensation provided for that surgery must

equal those amounts provided for in this chapter at the time of the mastectomy. If the surgery is begun more than 3 years after the mastectomy, the compensation provided is subject to the requirements and conditions that apply at the time of the reconstructive surgery.

Sec. 8. Chapter 617 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. If compensation is paid to an employee under this chapter for the surgical procedure known as a mastectomy, the employee is also entitled to receive commensurate compensation for at least two prosthetic devices and for reconstructive surgery incident to the mastectomy. Except as otherwise provided in subsection 2, this compensation is subject to the same requirements and conditions that apply to the compensation for the mastectomy.

2. If reconstructive surgery is begun within 3 years after a mastectomy, the amount of the compensation provided for that surgery must equal those amounts provided for at the time of the mastectomy. If the surgery is begun more than 3 years after the mastectomy, the compensation provided is subject to the requirements and conditions that apply at the time of the reconstructive surgery.''.

Amend the title of the bill to read as follows:

''An Act relating to insurance; requiring policies which provide coverage for a mastectomy to provide coverage for reconstructive surgery and prosthetic devices incident thereto; requiring insurance provided for workers' compensation and health benefits provided by employers to include such coverage; and providing other matters properly relating thereto.''.

Amend the summary of the bill, first line, by deleting ''to provide'' and inserting: '', industrial insurance and health benefits to include''.

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblyman Bourne.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Bourne:

Assembly Bill No. 495—An Act relating to taxes on real property; providing a system of deferrals for property taxes to certain homeowners; making other revisions to the Property Tax Assistance Act; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 88, 117, 165, 169, 170, 171, 198; Assembly Joint Resolution No. 19.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker and Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. Karl Swain.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Karl Swain, Messrs. Brandon Swain and Ryan Swain.

On request of Assemblyman Chaney, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Brunette McClay.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Joe Day and Dan Dalluhn.

On request of Assemblyman Perry, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kristy Kennedy and Kathy Kennedy.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Miss Mandi Marvel.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. John Rhodes and Ms. Betsy Rhodes.

Assemblyman Brady moved that the Assembly adjourn until Monday, April 11, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:46 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-FIFTH DAY

CARSON CITY (Monday), April 11, 1983

Assembly called to order at 11:07 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend William J. Helmstetter.

Heavenly Father, we come before you and acknowledge your presence. Father, today we seek you for wisdom. There are many decisions that are made by these assemblymen. Sometimes the best way is not clear. Situations are often complex and complicated. I pray that you would grant wisdom to these men and women and help them to make the best decisions.

I commit this assembly into your hands.

In Jesus' name,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 235, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 371, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Taxation.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 8, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 50, 289.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 236, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 262, 280.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 40, 197, 229, 249.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 26.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 26.

Assemblyman Bergevin moved the adoption of the resolution.

Remarks by Assemblyman Bergevin.

Resolution adopted unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill No. 216, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LONIE CHANEY, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Education:

Assembly Bill No. 496—An Act relating to schools; allowing a portion of the tax levied for the support of school districts to be set aside for school construction; requiring the deposit of that money in the district's fund for capital projects; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 497—An Act relating to education; subjecting to regulation as private schools certain institutions and individual persons offering elementary and secondary instruction to small numbers of pupils; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 498—An Act relating to district judges; increasing their salaries progressively beginning in 1985; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 499—An Act relating to the rehabilitation facilities account; requiring the interest earned on the money in the account to be credited to that account; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 500—An Act relating to judicial retirement;

expanding the eligibility for benefits of the surviving spouses of justices of the supreme court and district judges; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 40.

Assemblyman Jeffrey moved that the bill be referred to the Concurrent Committees on Natural Resources, Environment and Agriculture and Ways and Means.

Motion carried.

Assemblyman Dini moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:15 a.m.

ASSEMBLY IN SESSION

At 11:20 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 197.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Labor and Management.

Assemblyman Dini moved that Assemblyman Jeffrey's motion be amended and that Senate Bill No. 197 be referred to the Committee on Government Affairs.

Remarks by Assemblymen Dini, Jeffrey, Getto, Thompson, Marvel and Redelsperger.

Assemblymen Jeffrey, Price and Thompson requested a roll call on Assemblyman Dini's motion.

Roll call on Assemblyman Dini's motion:

YEAS—18.

NAYS—Banner, Berkley, Bourne, Bremner, Chaney, Coffin, Collins, Craddock, Fay, Francis, Jeffrey, Kerns, Malone, May, Nevin, Perry, Price, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thompson—24.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

Assemblyman Jeffrey's motion carried.

Senate Bill No. 229.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Economic Development, Tourism and Mining.

Motion carried.

Senate Bill No. 249.

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

Motion carried.

Senate Bill No. 262.

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

Motion carried.

Senate Bill No. 280.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 370, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 384.

Bill read second time.

The following amendment was proposed by Assemblyman Francis:

Amendment No. 317.

Amend section 1, page 1, by deleting lines 4 through 7 and inserting: "*shall not require an applicant for employment to give a postdated order for payment of the fee.*".

Amend the title of the bill, by deleting the first through third lines and inserting:

"An Act relating to employment agencies; prohibiting the requirement of a postdated order of payment to satisfy the fee; and providing other matters properly".

Amend the summary of the bill to read as follows: "Prohibits employment agency from requiring postdated order of payment to satisfy its fee.".

Assemblyman Francis moved the adoption of the amendment.

Remarks by Assemblyman Francis.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 423.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 116.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 346.

Amend section 1, page 1, line 4, before "spirituous" by inserting an open bracket.

Amend section 1, page 1, by deleting line 5 and inserting: "cider,] *alcoholic beverage* within one-half mile of [the state prison,] *any institution*".

Amend section 1, page 1, line 6, by deleting "*correctional facility*".

Amend section 1, page 1, by deleting lines 9 and 10 and inserting: "[spirituous or malt liquors, wine or cider,] *alcoholic beverage* within one-half mile of [the state prison.] *such an institution.*".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 118.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 345.

Amend sec. 31, page 10, by deleting lines 6 through 19 and inserting:

"213.1511 1. Before a parolee who has been arrested and is in custody for a violation of his parole may be returned to the custody of the [Nevada state prison] *department of prisons* for that violation, an inquiry must be conducted to determine whether there is probable cause to believe that he has committed acts that would constitute such a violation.

2. The inquiry must be conducted before an inquiring officer who:

(a) Is not directly involved in the case;

(b) Has not made the report of the violation; and

(c) Has not recommended revocation of the parole,

but he need not be a judicial officer.

3. Except in a case where the parolee is a fugitive, the inquiry must be held at or reasonably near the place of the alleged violation or the arrest and as promptly as convenient after the arrest.

4. Any conviction for violating a federal or state law or a local ordinance, except a minor traffic offense, which is committed while the prisoner is on parole constitutes probable cause for the purposes of subsection 1 and the inquiry required therein need not be held.".

Amend sec. 31, page 10, line 20, by deleting "4." and inserting "5."

Amend the bill as a whole by adding a new section, designated section 41, following section 40, which shall read as follows:

"Sec. 41. Section 31 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblyman Humke.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 371 be placed on the Second Reading File.

Remarks by Assemblyman May.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 242 be returned from enrollment.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Jeffrey moved that the vote whereby Assembly Bill No. 242 was passed be rescinded.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 254 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Jeffrey.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 371.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 420.

Amend the bill as a whole by deleting sections 1 through 11 and inserting:

"Sections 1 to 11, inclusive. (Deleted by amendment.)".

Amend sec. 20, page 7, by deleting lines 21 through 43 and inserting:

"(a) [Alcoholic beverages.] *Any beverage, except as otherwise provided in subsection 3.*

(b) *Candy.*

(c) Pet foods.

[(c)] *(d)* Tonics and vitamins.

[(d)] *(e)* Prepared food intended for immediate consumption.

3. "Food for human consumption" does include:".

Amend sec. 20, page 8, line 1, by deleting "*(2)*" and inserting "*(a)*".

Amend sec. 20, page 8, line 2, by deleting "*(3)*" and inserting "*(b)*".

Amend sec. 26, page 9, by deleting lines 10 through 31 and inserting:

"(a) [Alcoholic beverages.] *Any beverage, except as otherwise provided in subsection 3.*

(b) *Candy.*

(c) Pet foods.

[(c)] *(d)* Tonics and vitamins.

[(d)] *(e)* Prepared food intended for immediate consumption.

3. "Food for human consumption" does include:".

Amend sec. 26, page 9, line 32, by deleting "*(2)*" and inserting "*(a)*".

Amend sec. 26, page 9, line 33, by deleting "*(3)*" and inserting "*(b)*".

Amend sec. 27, pages 9 and 10, by deleting lines 40 through 42 on page 9 and lines 1 through 19 on page 10 and inserting:

"Sec. 27. (Deleted by amendment.)."

Amend sec. 31, page 11, line 28, by deleting "$5," and inserting "[$5,] *$10,*".

Amend the bill as a whole by adding new sections designated sections 50.2 through 50.9, following section 50, to read as follows:

"Sec. 50.2. NRS 90.030 is hereby amended to read as follows:

90.030 1. "Agent" means any [individual] *person* other than a broker-dealer and bullion dealer who represents a broker-dealer, bullion dealer or issuer in effecting or attempting to effect purchases or sales of securities . [or commodity options.]

2. "Agent" does not include [an individual] *a person* who represents an issuer in effecting transactions with existing employees, partners or directors of the issuer, or any of its subsidiaries, if no commission or other remuneration is paid or given directly or indirectly for soliciting any person in this state.

3. A partner, officer or director of a broker-dealer, bullion dealer or issuer, or a person occupying a similar status or performing similar functions is not the agent of [such] *that* broker-dealer, bullion dealer or issuer, but may, if he meets the [test] *requirements* of subsection 1, be the agent of another broker-dealer, bullion dealer or issuer.

Sec. 50.3. NRS 90.040 is hereby amended to read as follows:

90.040 "Broker-dealer" means any person engaged in the business of effecting transactions in securities [or commodity options] for the account of others or for his own account. "Broker-dealer" does not include:

1. An agent.

2. An issuer.

3. [A broker or dealer registered pursuant to the provisions of the Securities Exchange Act of 1934 (15 U.S.C. § 78a et seq.).

4. A person who is a member of the National Association of Securities Dealers, Inc.

5.] A bank, savings institution or trust company.

[6.] *4.* A person who has no place of business in this state if:

(a) He effects transactions exclusively with or through:

(1) The issuers of the securities [or commodity options] involved in the transactions;

(2) Other broker-dealers;

(3) Banks, savings institutions, trust companies, insurance companies, investment companies as defined in the Investment Company Act of 1940 (15 U.S.C. § 80a-1 et seq.), pension or profit-sharing trusts, or other financial institutions or institutional buyers, whether acting for themselves or as trustees; or

(b) During any period of 12 consecutive months he does not direct more than 15 offers to sell or buy into this state [in any manner] to persons other than those specified in paragraph (a) , [of this subsection 6,] whether or not the offeror or any of the offerees is then present in this state.

Sec. 50.4. NRS 90.055 is hereby amended to read as follows:

90.055 "Investment adviser" means any person who engages in the

business of advising others, either directly or through publications or writings, as to the value of securities [or commodity options] or as to the advisability of investing in, purchasing or selling securities , [or commodity options,] or who as part of a regular advisory business issues or promulgates analyses or reports concerning securities , [or commodity options,] but the term "investment adviser" does not include:

1. A bank or trust company, or the regular employees of a bank or trust company;

2. Any lawyer, accountant, engineer, geologist or teacher whose performance of such services is incidental to the practice of his profession;

3. Any registered broker-dealer [,] *or* bullion dealer or *an* issuer, or partner, officer, director or regular employee thereof, or any registered agent or transfer agent;

4. Any publisher or regular employee of the publisher of a bona fide newspaper, news magazine or business or financial publication of general circulation;

5. Any person whose advice, analyses or reports relate only to securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States, any state or any political subdivision of any state, or any public agency or public instrumentality [of any one or more of the foregoing;] *thereof; or*

6. Such other persons as the administrator may designate by regulation . [or order.]

Sec. 50.5. NRS 90.060 is hereby amended to read as follows:

90.060 "Issuer" means any person who issues or proposes to issue any security , [or commodity option,] except that with respect to:

1. Certificates of deposit, voting-trust certificates or collateral-trust certificates, or [with respect to] certificates of interest or shares in an unincorporated investment trust not having a board of directors or persons performing similar functions or [of the] *a* fixed, restricted management or unit , [type, the term] "issuer" means the person or persons performing the acts and assuming the duties of depositor or manager pursuant to the provisions of the trust or other agreement or instrument under which the security is issued; and

2. Certificates of interest or participation in oil, gas or mining titles, or leases or in payments out of production under such titles or leases, there is not [considered to be] any "issuer."

Sec. 50.6. NRS 90.080 is hereby amended to read as follows:

90.080 1. "Sale" or "sell" includes every contract of sale of, contract to sell, or disposition of, a security or interest in a security for value . [or a commodity option.]

2. "Offer" or "offer to sell" includes every attempt or offer to dispose of, or solicitation of an offer to buy, a security or interest in a security for value . [or a commodity option.]

3. Any security given or delivered with, or as a bonus on account of, any purchase of securities or any other thing is considered to constitute part of the subject of the purchase and to have been offered and sold for value.

4. A purported gift of assessable stock is considered to involve an offer and sale.

5. Every sale or offer of a warrant or right to purchase or subscribe to another security of the same or another issuer, as well as every sale or offer of a security which gives the holder a present or future right or privilege to convert into another security of the same or another issuer, is considered to include an offer of the other security.

6. The terms defined in this section do not include:

(a) Any bona fide pledge or loan;

(b) Any stock dividend, whether *or not* the corporation distributing the dividend is the issuer of the stock , [or not,] if nothing of value is given by stockholders for the dividend other than the surrender of a right to a cash or property dividend when each stockholder may elect to take the dividend in cash or property or in stock;

(c) Any act incident to a class vote by stockholders, pursuant to the certificate of incorporation or the applicable [corporation] statute, on a merger, consolidation, reclassification of securities, or sale of corporate assets in consideration of the issuance of securities of another corporation; or

(d) Any act incident to a judicially approved reorganization in which a security is issued in exchange for one or more outstanding securities, claims or property interests, or partly in [such] exchange *therefor* and partly for cash.

Sec. 50.7. NRS 90.110 is hereby amended to read as follows:

90.110 It is unlawful for any person, in connection with the offer, sale or purchase of any security , [or commodity option,] directly or indirectly:

1. To employ any device, scheme or artifice to defraud.

2. To make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or

3. To engage in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person.

Sec. 50.8. NRS 90.115 is hereby amended to read as follows:

90.115 1. If the administrator finds that the sale or proposed sale, or method of sale of any security , [or commodity option,] whether exempt or not, in the State of Nevada would:

(a) Employ any device, scheme or artifice to defraud;

(b) Obtain money or property by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; or

(c) Involve any transaction, practice or course of business which operates or would operate as a fraud or deceit upon the purchaser,

the administrator shall, by written order, prohibit or suspend the sale of the security [or commodity option] or deny approval of the statement of the security . [or commodity option.]

2. If the administrator finds that any person is transacting business

in this state as a broker-dealer, bullion dealer, [issuer,] agent, investment adviser or transfer agent without having complied with the *requirements for* registration [requirements of] *contained in* this chapter, the administrator may, by written order, prohibit or suspend [such] *that* person from engaging in such activity.

Sec. 50.9. NRS 90.120 is hereby amended to read as follows:

90.120 1. It is unlawful for any person to transact business in this state as a broker-dealer or agent [or, in the case of commodity options, an issuer,] unless he is registered under this chapter.

2. It is unlawful for any bullion dealer, unless first registered under this chapter, to engage in this state in any transaction in which the purchased precious metal is not delivered to the buyer within 15 days after the *date of the* sale . [date.]

3. It is unlawful for any broker-dealer, bullion dealer or issuer to employ an agent unless the agent is registered. The registration of an agent is not effective during any period when he is not associated with a particular broker-dealer or bullion dealer registered under this chapter or a particular issuer. When an agent begins or terminates a connection with a broker-dealer, bullion dealer or issuer, or begins or terminates those activities which make him an agent, the agent [as well as] *and* the broker-dealer, bullion dealer or issuer shall promptly notify the administrator.

4. It is unlawful for any person in this state to serve as an investment adviser unless he is registered pursuant to NRS 90.130. An investment adviser registered with the Securities and Exchange Commission under the Investment Advisers Act of 1940 [shall] *may* be registered upon *submitting* proof of this fact to the administrator.

5. It is unlawful for any person in this state to serve as a transfer agent unless he is registered pursuant to NRS 90.130.

6. Every registration expires 1 year [from] *after* its effective date unless renewed.''.

Amend sec. 51, page 18, line 43, by deleting ''*8,*'' and inserting ''*7,*''.

Amend sec. 51, page 19, by deleting line 1 and inserting: ''agent [or, in the case of commodity options, an issuer,] may obtain''.

Amend sec. 51, page 19, line 4, by deleting ''*adviser,*'' and inserting ''*adviser or*''.

Amend sec. 51, page 19, by deleting line 5, and inserting: ''*agent, a* written application veri-''.

Amend sec. 51, page 19, by deleting lines 19 through 21 and inserting: ''pleted the *general* securities examination [of] *and the uniform examination on state law administered by* the National Association of Securities Dealers *;* [or, in the case of broker-dealers dealing only in''.

Amend sec. 51, page 19, line 23, by inserting closed bracket after ''equivalent;''.

Amend sec. 51, page 19, by deleting lines 38 and 39 and inserting: ''meanor involving a security [or commodity option] or any aspect of the *business of* securities [or commodity option business] and any''.

Amend sec. 51, page 20, line 8, by deleting ''Every applicant

[shall,]'' and inserting: ''[Every applicant shall,] *A registered bullion dealer or agent*''.

Amend sec. 51, page 20, line 18, by deleting the closed bracket.

Amend sec. 51, page 20, line 19, by deleting ''[shall] *must*'' and inserting ''shall''.

Amend sec. 51, page 20, line 24, by deleting ''6.'' and inserting ''6.] *5.*''.

Amend sec. 51, page 20, by deleting line 25 and inserting: ''[broker-dealers,] bullion dealers [,] *and* agents [and, in the case of com-''.

Amend sec. 51, page 20, line 26, by inserting closed bracket after ''issuers''.

Amend sec. 51, page 20, line 37, by deleting ''7.'' and inserting ''[7.] *6.*''.

Amend sec. 51, page 21, line 1, by deleting ''*8. A broker-dealer*'' and inserting:

''*7. A broker-dealer, bullion dealer, investment adviser or transfer agent*''.

Amend sec. 51, page 21, line 6, by inserting after the period: ''*If an application is withdrawn, the administrator shall retain the fee.*''.

Amend the bill as a whole by adding new sections designated sections 51.1 through 51.4, following section 51, to read as follows:

''Sec. 51.1. NRS 90.133 is hereby amended to read as follows:

90.133 1. The registration of a broker-dealer, bullion dealer, [issuer,] agent, investment adviser or transfer agent may be denied, suspended or revoked if the administrator finds, after notice and opportunity for hearing as provided in NRS 90.175, that [such] *the* broker-dealer, bullion dealer, [issuer,] agent, investment adviser or transfer agent or any officer, director, partner, member, trustee or manager thereof:

(a) Has been convicted of a felony or of any misdemeanor of which fraud is an essential element;

(b) Has failed to account for any money or property or has failed to deliver any security [or commodity option] to any person entitled thereto when due or within a reasonable time thereafter;

(c) In the case of a broker-dealer [,] *or* bullion dealer , [or issuer,] is selling [or issuing] or has sold [or issued] securities [or commodity options] in this state through an agent other than a registered agent, or, in the case of an agent, is selling or has sold securities [or commodity options] in this state for a broker-dealer, bullion dealer or issuer with knowledge that [such] *the* broker-dealer, bullion dealer or issuer has not complied with the provisions of this chapter;

(d) Has violated any of the provisions of this chapter;

(e) Has made any material misrepresentation to the administrator in connection with any information deemed necessary by the administrator to determine a broker-dealer's [,] *or* bullion dealer's [or issuer's] financial responsibility or a broker-dealer's, bullion dealer's, [issuer's,] agent's, investment adviser's or transfer agent's business repute or qualifications, or has refused to furnish any such information as requested by the administrator;

(f) Has had a license or registration under any law [, federal, state

or territorial,] regulating the sale or issuance of securities [or commodity options,] refused, canceled, suspended or withdrawn for fraudulent or felonious conduct or for violation of [such] *any* law.

2. If the administrator finds that any registrant or applicant for registration is no longer in existence or has ceased to do business as a broker-dealer, bullion dealer, [issuer,] agent, investment adviser or transfer agent, [or] has been adjudicated mentally incompetent, or cannot be located after reasonable search, the administrator may by order cancel the registration or application.

Sec. 51.2. NRS 90.135 is hereby amended to read as follows:

90.135 [Registration] *The registration* of a broker-dealer, bullion dealer, [issuer,] agent, investment adviser or transfer agent may be revoked for attempted transfer of the registration to any other person without first requesting and receiving the approval of the administrator.

Sec. 51.3. NRS 90.175 is hereby amended to read as follows:

90.175 1. Except as provided in subsection 3, the administrator shall not:

(a) Deny approval of the statement of any security [or commodity option] or the registration of a broker-dealer, bullion dealer, [issuer,] agent, investment adviser or transfer agent;

(b) Prohibit or suspend the sale of any security *;* or [commodity option; or]

(c) Prohibit or suspend any person from acting as a broker-dealer, bullion dealer, issuer, agent, investment adviser or transfer agent,

except after opportunity for a hearing upon not less than 10 days' advance notice given by personal service or registered or certified mail to the person [or persons] concerned.

2. The notice [shall:] *must:*

(a) State the date, time and place of the hearing;

(b) Contain a brief statement of the proposed action of the administrator; and

(c) State the grounds for the proposed action.

3. The administrator may temporarily prohibit the sale of any security [or commodity option] or suspend the registration of a broker-dealer, bullion dealer, [issuer,] agent, investment adviser or transfer agent without the notice and prior hearing if the administrator deems such action to be necessary for the protection of the public.

4. Immediately after taking any such action, the administrator shall:

(a) Schedule a hearing on the action as soon as possible and give to the person [or persons] concerned notice by personal service, by registered or certified mail or by telegram of the date, time and place of the hearing.

(b) Conduct the hearing and, under the facts developed, suspend or revoke the registration of any security [, commodity option] or person involved, or [the imposition] *impose* on any such person [of a civil] *a* penalty of not more than $1,000 for each offense.

Sec. 51.4. NRS 90.200 is hereby amended to read as follows:

90.200 1. Any person who offers or sells a security [or commodity option] by means of any untrue statement of a material fact or any

omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading , [(the buyer not knowing of the untruth or omission),] and who does not sustain the burden of proof that he did not know, and in the exercise of reasonable care could not have known, of the untruth or omission, is liable to the person buying the security from him [, who] *if the buyer did not know of the untruth or omission. The buyer* may sue either at law or in equity to recover the consideration paid for the security [or commodity option, together] with interest at *a rate of* 6 percent per year from the date of payment, costs, and reasonable attorneys' fees, less the amount of any income received on the security , [or commodity option,] upon the tender of the security [or commodity option] and any income received on it, or for damages if he no longer owns the security . [or commodity option.] Damages are the amount that would be recoverable upon a tender less the value of the security [or commodity option] when the buyer disposed of it and interest at 6 percent per year from the date of disposition.

2. [Every] *A* person who directly or indirectly controls a seller liable under subsection 1, [every] *a* partner, officer, or director of such a seller, [every] *a* person occupying a similar status or performing similar functions, [every] *an* employee of such a seller who materially aids in the sale, and [every] *a* broker or dealer or employee of a broker or dealer [, or, in the case of a commodity option, every issuer or employee of an issuer,] who materially aids in the sale [are] *is* also liable jointly and severally with and to the same extent as the seller, unless [the nonseller who is so liable] *he* sustains the burden of proof that he did not know, and in exercise of reasonable care could not have known, of the existence of the facts by reason of which the liability is alleged to exist. There is contribution as in cases of contract among the several persons so liable.

3. Any tender specified in this section may be made at any time before entry of judgment.

4. Every cause of action under this chapter survives the death of any person who might have been a plaintiff or defendant.

5. No person may sue under this section more than 2 years after the contract of sale. No person may sue under this section:

(a) If [the buyer] *he* received a written offer, before suit and at a time when he owned the security , [or commodity option,] to refund the consideration paid together with interest at 6 percent per year from the date of payment, less the amount of any income received on the security , [or commodity option,] and he failed to accept the offer within 30 days of its receipt; or

(b) If [the buyer] *he* received such an offer before suit and at a time when he did not own the security , [or commodity option,] unless he rejected the offer in writing within 30 days of its receipt.

6. No person who has made or engaged in the performance of any contract in violation of any provision of this chapter, or who has acquired any purported right under any such contract with knowledge of the facts by reason of which its making or performance was in violation, may base any suit on the contract.

7. Any condition, stipulation or provision binding any person acquiring any security [or commodity option] to waive compliance with any provision of this chapter is void.

8. The rights and remedies provided by this chapter are in addition to any other rights or remedies that may exist at law or in equity, but this chapter does not create any cause of action not specified in this section.''.

Amend sec. 54, page 22, line 6, by deleting ''60,'' and inserting ''62,''.

Amend sec. 55, page 22, line 8, by deleting ''*60,*'' and inserting ''*62,*''.

Amend sec. 56, page 22, line 35, by deleting ''*section 57*'' and inserting ''*sections 57 and 58*''.

Amend the bill as a whole by renumbering section 58 as section 59 and adding a new section designated as section 58, following section 57, to read as follows:

''Sec. 58. *A fraternal benefit society licensed under chapter 695A of NRS whose net income from premiums, received during the next preceding calendar year, exceeds $100,000 shall pay the tax imposed by section 56 of this act upon that amount of the net income from premiums which exceeds $100,000.*''.

Amend the bill as a whole by renumbering sections 59 through 65 as sections 61 through 67 and adding a new section designated section 60, following section 58 (as originally numbered) to read as follows:

''Sec. 60. *1. Each insurer which, pursuant to section 56 of this act, paid or is required to pay a tax of at least $2,000 on net premiums and net considerations received during the preceding calendar year, shall file a quarterly report in such form as prescribed by the commissioner. The report must be accompanied by an estimated payment made payable to the commissioner in an amount equal to:*

(a) The tax due at the rate prescribed in section 56 of this act on net premiums and net consideration received during that calendar quarter; or

(b) Twenty-five percent of the tax paid or required to be paid on net premiums and net considerations received during the preceding calendar year.

2. Each quarterly estimated payment is due on the last day of the last month in each calendar quarter.

3. If an overpayment of the tax imposed by section 56 of this act results from the estimated payments made pursuant to this section, the insurer shall apply the overpayment against each succeeding quarterly estimated payment due in the current calendar year until the overpayment has been extinguished.

4. Any insurer making estimated payments pursuant to paragraph (a) of subsection 1 is not subject to penalties for underpayment if the total of its estimated payments for the calendar year is at least equal to 90 percent of the tax due pursuant to section 56 of this act.''.

Amend sec. 60, page 23, line 20, by deleting ''*60,*'' and inserting ''*62,*''

Amend sec. 62, page 25, line 27, by deleting "*60,*" and insering "*62,*".

Amend sec. 65, page 27, line 32, by deleting "*60,*" and inserting "*62,*".

Amend the bill as a whole by renumbering sections 66 and 67 as sections 71 and 72 and adding lw sections designated as sections 68 through 70, following section 65, to read as follows:

"Sec. 68. NRS 695A.550 is hereby amended to read as follows:

695A.550 Every society organized or licensed under this chapter is hereby declared to be a charitable and benevolent institution, and all of its [funds shall be] *money is* exempt from every state, county, district, municipal and school tax other than taxes on real property and office equipment [.] *and the general premium tax imposed pursuant to NRS 680B.030 and sections 55 to 62, inclusive, of this act.*

Sec. 69. NRS 90.042 is hereby repealed.

Sec. 70. 1. For the fiscal year commencing July 1, 1983, and ending June 30, 1984, an ad valorem tax of 30 cents on each $100 of assessed valuation of taxable property is hereby levied and directed to be collected for state purposes upon all taxable property in the state, including net proceeds of mines and mining claims, except such property as is by law exempt from taxation.

2. For the fiscal year commencing July 1, 1984, and ending June 30, 1985, an ad valorem tax of 30 cents on each $100 of assessed valuation of taxable property is hereby levied and directed to be collected for state purposes upon all taxable property in the state, including net proceeds of mines and mining claims, except such property as is by law exempt from taxation.".

Amend sec. 66, page 27, line 34, before "Those" by inserting "1.".

Amend sec. 66, page 27, by inserting after line 37:

"2. Those agents who are employed by broker-dealers who are presently registered or broker-dealers who have been granted an exemption from registration before July 1, 1983, are not required to take the uniform examination on state law administered by the National Association of Securities Dealers.".

Amend sec. 67, page 27, line 38, by deleting "1." and inserting:

"1. This section and section 70 of this act shall become effective upon passage and approval.

2.".

Amend sec. 67, page 27, line 41, by deleting "2." and inserting "3.".

Amend the title of the bill to read as follows:

"An Act relating to public revenue; increasing the rate of the tax respectively on intoxicating liquor and cigarettes; increasing, broadening and accelerating the collection of the tax on insurance premiums; providing for the submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to remove the exemption of soft drinks and candy from that tax and contingently removing a similar exemption from certain analogous taxes; increasing

fees for filing certain corporate documents; removing prohibitions against charging fees for certain other corporate filings; requiring non-profit corporations to file annual lists of their officers, directors and resident agent; authorizing the collection of fees for the filing of those lists; providing fees for dealing in securities; levying a state tax on property; providing penalties; and providing other matters properly relating thereto.''.

Amend the summary of the bill by deleting: ''Imposes state tax on ''video games,'' and inserting: ''Levies state tax on property,''.

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Assemblyman May moved that Assembly Bill No. 371 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted and engrossed.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Dini, Getto, Schofield, Stewart, Bilyeu and Thomas:

Assembly Bill No. 501—An Act relating to judicial retirement; providing for pensions in cases of early retirement of district judges and justices of the supreme court because of a disability; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 502—An Act relating to county recorders; increasing the fees charged for recording and copying documents; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 503—An Act relating to judicial retirement; authorizing justices of the supreme court and district judges to retire before they reach the required age; reducing the benefits of a judge or justice who so retires; reducing the number of years of service a judge or justice must have to continue accruing credit after being recalled from retirement; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 129.

Bill read third time.

Remarks by Assemblyman Banner.
Roll call on Assembly Bill No. 129:
YEAS—42.
NAYS—None.

Assembly Bill No. 129 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 162.
Bill read third time.
Remarks by Assemblymen Humke and Kovacs.
Roll call on Assembly Bill No. 162:
YEAS—42.
NAYS—None.

Assembly Bill No. 162 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 359.
Bill read third time.
Remarks by Assemblyman Berkley.
Roll call on Assembly Bill No. 359:
YEAS—42.
NAYS—None.

Assembly Bill No. 359 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 378.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 378:
YEAS—42.
NAYS—None.

Assembly Bill No. 378 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 242.
Bill read third time.
The following amendment was proposed by the Committee on Commerce:
Amendment No. 453.
Amend section 1, page 1, line 9, by deleting "subdivision".
Amend section 1, page 1, line 10, by deleting "thereof" and inserting "of a subdivision".
Amend section 1, page 2, by deleting line 13 and inserting: "section 6 of Assembly Bill No. 241 of the 62nd session of the Nevada legislature, but the disclosure required by NRS".

Amend section 1, page 2, lines 15 and 16, by deleting: "of this] subsection [.] 2. [(d)]" and inserting ". (d)] *subsection 2.*".

Amend section 1, page 2, by deleting lines 20 and 21 and inserting: "State of Nevada to construct residential buildings if the land [being offered or disposed of] *is located in this state*".

Amend section 1, page 2, line 24, by deleting "[government] *governmental*" and inserting "governmental".

Amend section 1, page 3, line 7, by deleting: "from time to time," and inserting a comma.

Amend sec. 3, page 4, line 2, by deleting "1.".

Amend sec. 3, page 4, line 4, by deleting "(a)" and inserting "1.".

Amend sec. 3, page 4, line 6, by deleting the italicized period and inserting a Roman period.

Amend sec. 3, page 4, by deleting line 7 and inserting: "The plan or methods must describe with".

Amend sec. 3, page 4, line 9, by deleting "(1)" and inserting "(a)".

Amend sec. 3, page 4, line 10, by deleting "(2)" and inserting "(b)".

Amend sec. 3, page 4, line 12, by deleting "(3)" and inserting "(c)".

Amend sec. 3, page 4, line 14, by deleting "(4)" and inserting "(d)".

Amend sec. 3, page 4, line 15, by deleting "such" and inserting "the".

Amend sec. 3, page 4, line 16, by deleting "(5)" and inserting "(e)".

Amend sec. 3, page 4, lines 19 and 20 by deleting: "[shall constitute and be treated as] *constitutes*" and inserting "constitutes".

Amend sec. 3, page 4, by deleting line 21 and inserting:

"2. Except through a broker, and before any offering or".

Amend sec. 3, page 4, line 23, by deleting: "[such broker shall] *the broker must*" and inserting "the broker must".

Amend sec. 3, page 4, by deleting lines 26 through 28 and inserting: "Before a salesman offers or sells any property or interest, the salesman's name must be placed on file with the division. The broker and salesman if".

Amend sec. 3, page 4, line 30, by deleting "(1)" and inserting "(a)".

Amend sec. 3, page 4, line 32, by deleting "(2)" and inserting "(b)".

Amend sec. 3, page 4, line 34, by deleting ", and" and inserting: "in connection with sales governed by this chapter. A broker and a salesman"..

Amend sec. 3, pages 4 through 6, by deleting lines 37 through 43 on page 4, lines 1 through 42 on page 5 and lines 1 through 20 on page 6 and inserting: "prescribed in this chapter.".

Amend the bill as a whole by adding new sections, designated sections 8 and 9, following section 7, to read as follows:

"Sec. 8. Section 5 of Assembly Bill No. 241 of the 62nd session of the Nevada legislature is hereby amended to read as follows:

Sec. 5. 1. The information submitted pursuant to NRS 119.140 must be given to and reviewed with each purchaser by the broker or salesman before the execution of any contract for the sale of any such property. The broker shall obtain from the purchaser a signed receipt for a copy of the information and, if a contract for disposition is entered into, the receipt and a copy of all contracts and agreements must be kept in the broker's files within the State of Nevada for a period of 3 years or 1 year after final payment has been made on any contract for the sale of property, whichever is longer, and is subject to such inspection and audit as may be prescribed by regulations of the division.

2. Any contract or agreement for the sale of any subdivision or any lot, parcel, unit or interest in any subdivision, not exempted under the provisions of NRS 119.120 [,] *or section 5 of Assembly Bill No. 242 of the 62nd session of the Nevada legislature,* where the information submitted pursuant to NRS 119.140 has not been given to and reviewed with the purchaser more than 3 days in advance of his signing the contract or agreement, may be revoked by the purchaser within 3 days after he signed or after receipt by him of the information, whichever is later, and the contract or agreement must so provide, except that the contract or agreement may stipulate that the right to revoke does not apply in the case of a purchaser who has received the information and inspected the subdivision in advance of signing the contract or agreement.

3. Any such revocation must be in writing in a form prescribed by the division and must be communicated to the broker within the time limited by this section for revocation and all money paid by the purchaser under the revoked contract or agreement must be returned to him immediately by the broker, without any deductions.

Sec. 9. Sections 1, 3 and 8 of this act shall become effective at 12:01 on July 1, 1983.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 336 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Dini.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 336.

Bill read third time.

The following amendment was proposed by Assemblyman Dini:

Amendment No. 433.

Amend the bill as a whole by deleting section 7 and inserting:

"Sec. 7. (Deleted by amendment.)".

Amend sec. 8, page 4, line 23, by deleting "[$100] *$200*" and inserting "$100".

Amend section 17, page 8, line 9, by deleting "[$100] *$200*" and inserting "$100".

Amend section 17, page 8, line 15, by deleting "[$100,] *$200,*" and inserting "$100,".

Amend section 17, page 9, line 5, by deleting "[$100] *$200*" and inserting "$100".

Amend section 17, page 9, line 9, by deleting "[$100,] *$200,*" and inserting "$100,".

Amend section 19, page 10, line 10, by deleting "[$100] *$200*" and inserting "$100".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblymen Dini, Stone, Stewart, Price, Collins, Bourne, Bilyeu, Thomas and Malone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Assembly Bill No. 167 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 216.

The following Senate amendment was read:

Amendment No. 353.

Amend section 1, page 2, line 16, by deleting "*disposal of sewage*" and inserting: "*use of an individual system for disposal of sewage*".

Amend section 1, page 2, lines 18 and 19, by deleting "*disposal of sewage*" and inserting: "*use of an individual system for disposal of sewage*".

Amend sec. 2, page 3, line 1, by deleting "Such" and inserting: "[Such] *Except as otherwise provided in NRS 444.650, such*".

Amend the title of the bill, by deleting second line and inserting: "adopt regulations to control the use of individual systems; authorizing district boards of health to adopt similar".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 216.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

GENERAL FILE AND THIRD READING

Assembly Bill No. 167.

Bill read third time.

The following amendment was proposed by Assemblyman Bilyeu:

Amendment No. 460.

Amend sec. 10, page 7, by deleting lines 24 through 28 and inserting: "*order. The court shall notify the department if the offender fails to complete the course within the specified time. In addition to requiring completion of the course, the court shall sentence him as follows, unless the sentence is reduced pursuant to section 11 of this act:*

(1) If he had at least 0.10 percent but not more than 0.15 percent by weight of alcohol in his blood, to perform community service for a period of not less than 16 hours and not more than 160 hours and fine him not less than $200 nor more than $1,000.

(2) If he had more than 0.15 percent but not more than .20 percent of alcohol in his blood, to:

(I) Perform community service for a period of not less than 80 hours nor more than 480 hours; or

(II) Imprisonment for not less than 2 days nor more than 6 months in jail,

and fine him not less than $400 nor more than $1,000.

(3) If he had more than .20 percent by weight of alcohol in his blood, to imprisonment for not less than 2 days nor more than 6 months in jail and fine him not less than $500 nor more than $1,000.".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblymen Bilyeu, Stewart, Joerg and Sader.

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

Assembly in recess at 12:31 p.m.

ASSEMBLY IN SESSION

At 12:32 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

Remarks by Assemblyman Stone.

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

Assembly in recess at 12:33 p.m.

ASSEMBLY IN SESSION

At 12:34 p.m.

Mr. Speaker presiding.

Quorum present.

Remarks by Assemblymen Nevin, Swain, Thomas, Beyer, Getto, Malone, Fay, Nicholas, Collins, Craddock, Dini, Bilyeu and Bourne.

Assemblymen Stewart, Nevin and Stone requested a roll call on Assemblyman Bilyeu's motion.

Roll call on Assemblyman Bilyeu's motion:

YEAS—21.

NAYS—Berkley, Beyer, Bourne, Brady, Bremner, Coffin, DuBois, Francis, Humke, Kovacs, Malone, Nevin, Nicholas, Price, Sader, Schofield, Sedway, Stewart, Swain, Thompson, Zimmer—21.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

Assemblyman Kovacs moved that Assembly Bill No. 167 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Stewart and Kovacs.

Assemblyman Getto moved that Assemblyman Kovac's motion be amended and that Assembly Bill No. 167 be taken from the General File and re-referred to the Committee on Government Affairs.

Remarks by Assemblyman Getto.

Assemblymen Stewart, Malone and Nevin requested a roll call on Assemblyman Getto's motion.

Roll call on Assemblyman Getto's motion:

YEAS—19.

NAYS—Banner, Berkley, Beyer, Brady, Bremner, Coffin, DuBois, Francis, Humke, Kovacs, Malone, Nevin, Nicholas, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thompson, Zimmer—23.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

Remarks by Assemblyman Kovacs.

Assemblymen Stewart, Jeffrey and Nicholas requested a roll call on Assemblyman Kovacs' motion.

Roll call on Assemblyman Kovacs' motion:

YEAS—22.

NAYS—Banner, Berkley, Beyer, Brady, Bremner, Coffin, DuBois, Francis, Humke, Malone, Nevin, Nicholas, Price, Sader, Sedway, Stewart, Stone, Swain, Thompson, Zimmer—20.

The motion having received a majority, Mr. Speaker declared it carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 13; Assembly Concurrent Resolutions Nos. 11, 25.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, April 12, 1983, at 11 a.m., and that it do so in memory of Senator Lovelock.

Motion carried.

Assembly adjourned at 1:07 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-SIXTH DAY

CARSON CITY (Tuesday), April 12, 1983

Assembly called to order at 11:02 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend William J. Helmstetter.

Almighty God, we praise you for your love and mercy. Being in government is often difficult: When it is complicated, please give wisdom; when it is hectic, please give peace; when it is tedious, please give patience; when it is inflating, give humility; when it causes criticism, give self-confidence.

I commit this assembly into your hands.

In Jesus' name,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Brady 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 315, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which were referred Assembly Joint Resolutions Nos. 21, 22, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 99, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 11, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 196.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 199, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 273.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 230, 264, 269.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 15.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 27, 28.

MAE LOFTHOUSE
Assistant Secretary of the Senate

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

Assembly in recess at 11:06 a.m.

ASSEMBLY IN SESSION

At 11:11 a.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were re-referred Assembly Bills Nos. 94, 95, 96, 230, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 149 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Thompson.

Motion carried.

Assemblyman Thompson moved that Senate Bill No. 135 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

By the Committee on Legislative Functions:

Assembly Resolution No. 12—Providing for the appointment of an additional assembly attache.

Resolved by the Assembly of the State of Nevada, That Clare E. Jones is elected as an additional attache of the assembly for the 62nd session of the legislature of the State of Nevada.

Assemblyman Jeffrey moved the adoption of the resolution.

Resolution adopted unanimously.

By the Committee on Legislative Functions:

Assembly Resolution No. 13—Providing for the appointment of an additional assembly attache.

Resolved by the Assembly of the State of Nevada, That Janet Virginia Snyder is elected as an additional attache of the assembly for the 62nd session of the legislature of the State of Nevada.

Assemblyman Jeffrey moved the adoption of the resolution.

Resolution adopted unanimously.

Senate Joint Resolution No. 15.

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

Motion carried.

Senate Concurrent Resolution No. 27.

Assemblyman Nicholas moved the adoption of the resolution.

Remarks by Assemblymen Nicholas and Beyer.

Assemblyman Redelsperger requested that the following remarks be entered in the Journal:

ASSEMBLYMAN NICHOLAS:

Having spent three years in Europe immediately after the Second World War, perhaps I am among the group that was most aware of the situation that had occurred there during the Second World War. It is most appropriate that this resolution be accepted by this body at this time in view of the fact that in the East yesterday a meeting was held of those who were survivors of the Holocaust. There are some fifty thousand in our country; some twenty thousand were present. Our President had stipulated, as he spoke to these people, exactly how he felt about the situation and in his general meaning he suggested that never again would we of the human race, at least in our country and in our area of faith and with our thinking, allow such an incident to take place in the world. He suggested also that as far as he was concerned, the support of our government would be with those people who had contributed so much to our country since the Second World War who were survivors of the Holocaust, and that we would also support Israel as a haven for others who have gone through the same situation. I would suggest, Mr. Speaker, that this particular resolution is a very important one for the unity of our country and a very important one for those of us who have the conscience to realize what the situation was. Thank you very much.

ASSEMBLYMAN BEYER:

I, for one, lived through the occupation of Denmark in the World War and was a witness of what happened during that episode. An order came out from the German government that all the Jews in Denmark wear the Star of David for identification purposes so they might be arrested and brought into concentration camps. The order of King Christian the Tenth, who was King at the time in Denmark, was that all Danes wear a Star of David. For several years during the war we all wore a Star of David in Denmark in order to confuse the Germans so they could not tell the Jews from the other Danes.

Resolution adopted unanimously.

Senate Concurrent Resolution No. 28.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Coffin.

Assemblyman Redelsperger requested that Assemblyman Coffin's remarks be entered in the Journal:

Thank you Mr. Speaker. I met Brother Drolet in 1954 when I was a 12 year old boy helping build Bishop Gorman High School in Las Vegas. My job at that time consisted of putting water on the dust that was stirred up by the workers there. Brother Drolet always had time to devote to the kids of Las Vegas without regard to any sacrifice of his own time. Brother Drolet was a ham radio operator, and when he invited us into his radio shack he opened up the wonders of the world to a bunch of wide-eyed youngsters who had never seen anything beyond the boundaries of their own front yard. Later Brother Drolet instructed hundreds of Las Vegas students, including this assemblyman, in the fine arts of Latin and English. I don't remember any Latin, I'm sorry to say, but I do remember Brother Drolet. Like all members of religious orders, Brother Drolet took a lifetime vow of poverty, and he is an example for all of us; a man who has put all material ambitions behind him. His only desire has been to serve human beings. He is, indeed, a rare man in this material world. I urge your adoption of this resolution.

Resolution adopted unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Economic Development, Tourism and Mining, to which was referred Assembly Bill No. 191, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and return to the Concurrent Committee on Economic Development, Tourism and Mining.

ROBERT E. PRICE, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 333, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Economic Development, Tourism and Mining, to which was referred Assembly Bill No. 391, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT E. PRICE, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Banner:

Assembly Bill No. 504—An Act relating to the collective bargaining of local governments; requiring financial information on metropolitan police departments to be furnished by the local government employers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 505—An Act relating to taxicabs; providing additional factors for the determination of the allocation of the number of taxicabs by the taxicab authority; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 506—An Act relating to administrative procedure; requiring a person seeking judicial review of an administrative decision to pay for the preparation and transmission of the transcript; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Bogaert, May, Brady and Jeffrey:

Assembly Bill No. 507—An Act relating to depositories of public money; allowing the state treasurer to negotiate the rate of interest for time certificates of deposit; requiring the depositories to send periodic

reports only to the state treasurer; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 230.

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

Motion carried.

Senate Bill No. 264.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 269.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Economic Development, Tourism and Mining.

Motion carried.

Senate Bill No. 273.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Malone, Bourne, Ham, Thomas, Coffin, Zimmer, Swain, Francis, Joerg, Sedway, DuBois, May, Fay, Kovacs, Stone, Bremner, Marvel, Bergevin, Bogaert, Collins, Perry, Sader, Jeffrey, Brady, Dini, Price, Thompson, Redelsperger, Berkley, Craddock, Kerns, Bilyeu, Nicholas, Schofield, Chaney, Beyer, Nevin, Banner, Getto, Humke and Vergiels:

Assembly Joint Resolution No. 28—Memorializing Congress and the President to provide for health care for veterans exposed to atomic radiation.

Assemblyman Malone moved that the resolution be referred to the Committee on Health and Welfare.

Motion carried.

Assemblyman Stewart moved that Assembly Bill No. 167 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 370.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 429.

Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 232.080 is hereby amended to read as follows:

232.080 The attorney general is the counsel and attorney for the department. The attorney general [, with the advice and consent of the director,] shall designate one of his deputies to be counsel and attorney for the department in all actions, proceedings and hearings. The deputy so designated:

1. Is the legal adviser of the department in all matters relating to the department and to the powers and duties of its officers.

2. Shall maintain his office in Carson City, Nevada, in an office provided by the department.

3. Is is the unclassified service of the state pursuant to subsection 5 of NRS 284.140.".

Amend the title of the bill to read as follows:

"An Act relating to the attorney general; removing the authority of a certain commission and agency to approve the deputy attorney general designated to serve them; and providing other matters properly relating thereto.".

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

The following amendment was proposed by Assemblyman Dini:

Amendment No. 430.

Amend the bill as a whole by adding new sections, designated sections 3 and 4, following section 2, to read as follows:

"Sec. 3. NRS 278.810 is hereby amended to read as follows:

278.810 1. The governing body may determine the qualifications of and appoint an executive officer for the agency and may, within the limits of available funds, fix the salary of [such] *the* executive officer. The governing body may also, within the limits of available funds, employ such other staff [and legal counsel] as may be necessary to execute the powers and functions provided for under NRS 278.780 to 278.828, inclusive, or in accordance with any intergovernmental contracts or agreements which the agency may be responsible for administering.

2. The agency is a public employer for the purposes of chapter 286 of NRS, and a public agency for the purposes of chapter 287 of NRS.

3. The attorney general is the attorney for the agency. He shall designate one or more of his deputies to advise and otherwise represent the agency.

Sec. 4. This section and section 3 of this act shall become effective upon passage and approval.".

Amend the title of the bill to read as follows:

"An Act relating to the attorney general; making various changes regarding his representation of governmental agencies; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes regarding attorney general's representation of governmental agencies.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 216.
Bill read second time and ordered to third reading.

Senate Bill No. 235.
Bill read second time and ordered to third reading.

Assembly Bill No. 149.
Bill read second time.
The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:
Amendment No. 435.
Amend the bill as a whole by deleting sections 1 and 2 and by inserting:
"Section 1. NRS 565.090 is hereby amended to read as follows:
565.090 1. It [shall be] *is* unlawful for any person [or persons] to drive or otherwise remove, [other than by common carrier,] any animals out of a brand inspection district created under the provisions of this chapter, until [such] *the* animals have been inspected [by an inspector of the department] and a brand inspection clearance certificate *is* issued *by the department* [covering the same,] or a written permit from the department [or an authorized inspector of the same] has been issued [them authorizing such] *authorizing the* movement without brand inspection.
2. Any person [or persons] contemplating the driving or movement of any animals out of [any such] *a* brand inspection district [, except by common carrier,] shall notify the [office of the] department or an inspector thereof of [such] *his* intention, stating:
(a) The place at which it is proposed to cross the border of [such] *the* brand inspection district with [such] *the* animals.
(b) The number and kind of [such] *the* animals.
(c) The owner [or owners of the same.] *of the animals.*
(d) The brands [or brands] and marks of [any such] *the* animals claimed by each [such owner or owners and, if the same] *owner and, if they* are other than the brands [or brands] and marks legally recorded in the name [or names of such claimants,] *of the owner,* information as to what [such] *the* claim to ownership or legal possession is *based* upon.
(e) The date of the proposed movement across the border of [such] *the* brand inspection district and the destination of [such] *the* movement.
(f) A statement as to where [such] *the* animals will be held for brand inspection . [as provided for in this chapter.
3. The provisions of this section shall not be construed to]
3. This section does not apply to animals whose accustomed range is on both sides of the boundary of any brand inspection district [created under the provisions of this chapter] but contiguous to [the same] *that district* and which are being moved from one portion of [any such]

the accustomed range to another merely for [the purpose of] pasturing and grazing thereon.

4. All the provisions of this section [shall] apply at all times to the movement of any animals [other than by common carrier] across the Nevada state line to any point outside of the State of Nevada, excepting animals whose accustomed range is on both sides of the Nevada state line but contiguous thereto and which are being moved from one portion to another of [such] *the* accustomed range merely for [the purpose of] pasturing and grazing thereon.

5. In addition to the penalty imposed in NRS 565.170, a person who violates subsection 1 is subject to an immediate brand inspection of the animals by the department and shall reimburse the department for its time and mileage and pay the usual fees for the brand inspection.

Sec. 2. NRS 565.080 is hereby repealed.''.

Amend the title of the bill, by deleting the first through third lines and inserting:

''An Act relating to livestock; allowing certain transportation of animals by common carrier out of a brand inspection district without an inspection; providing an additional penalty for unlawfully moving an animal across the boundaries of a brand inspection district; and providing other matters properly''.

Amend the summary of the bill, by deleting ''entry'' and inserting ''certain transportation''.

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 135.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 447.

Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:

''Sec. 2. This act shall become effective upon passage and approval.''.

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Price moved that Assembly Bill No. 391 be placed on the Second Reading File.

Remarks by Assemblyman Price.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 199.

The following Senate amendment was read:

Amendment No. 385.

Amend section 1, page 1, line 5, by deleting "*by*" and inserting "*from*".

Assemblyman May moved that the Assembly concur in the Senate amendment to Assembly Bill No. 199.

Remarks by Assemblyman May.

Motion carried.

Bill ordered enrolled.

GENERAL FILE AND THIRD READING

Assembly Bill No. 167.

Bill read third time.

The following amendment was proposed by Assemblyman Getto:

Amendment No. 461.

Amend sec. 10, page 7, by deleting lines 25 and 26 and inserting: "*act shall sentence him to:*

(1) Imprisonment for not less than 2 days nor more than 6 months in jail; or

(2) Perform community service for 48 hours,

and fine him not less than $400 nor more".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblymen Getto, Jeffrey, Stewart, Bilyeu and Nevin.

Assemblymen Jeffrey, Malone and Stewart moved the previous question.

Motion carried.

The question being on the motion to adopt Amendment No. 461 to Assembly Bill No. 167.

Assemblymen Stewart, Nevin and Jeffrey requested a roll call on Assemblyman Getto's motion.

Roll call on Assemblyman Getto's motion:

YEAS—20.

NAYS—Banner, Berkley, Beyer, Brady, Bremner, Coffin, DuBois, Francis, Ham, Humke, Malone, Nevin, Nicholas, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Swain, Thompson, Mr. Speaker—22.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

Remarks by Assemblymen Sader, Stone, Bourne, Kovacs, May and Stewart.

Assemblyman Bourne requested that Assemblyman Kovac's remarks be entered in the Journal:

Mr. Speaker, I support the bill as well, however, I am going to echo the remarks of the previous speaker and ask that the other 21 votes that joined with me yesterday in asking for a fiscal note in regard to Assembly Bill No. 167 please vote "no" so that we can get a fiscal note in regard to this bill.

Roll call on Assembly Bill No. 167:

YEAS—28.

NAYS—Bilyeu, Bogaert, Chaney, Collins, Craddock, Fay, Getto, Jeffrey, Joerg, Kerns, Kovacs, Marvel, May, Thomas—14.

Assembly Bill No. 167 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Assembly Bill No. 391.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Tourism and Mining:

Amendment No. 459.

Amend sec. 2, page 1, line 6, after "*chairman,*" by inserting: "*the lieutenant governor, who is its vice chairman,*".

Amend sec. 4, page 2, by deleting lines 22 and 23 and inserting:

"Sec. 4. *1. The commission on tourism is composed of the lieutenant governor, who is its chairman, and six members who are appointed by the governor.*".

Amend sec. 4, page 2, by deleting lines 25 and 26 and inserting: "*sons who have substantial experience in marketing and the promotion of tourism and are, or have been, actively engaged in gaming or the operation of hotels or motels.*".

Amend sec. 4, page 2, by inserting between lines 29 and 30:

"*4. The governor shall appoint at least one member who is a resident of:*

(a) Clark County.

(b) Washoe County.

(c) A county other than Clark and Washoe counties.

5. Except as otherwise provided in this section, no public officer or employee is eligible for appointment to the commission.".

Amend sec. 5, page 2, by deleting lines 33 through 35.

Amend sec. 5, page 2, line 36, by deleting "*3.*" and inserting "*2.*".

Amend sec. 5, page 2, line 37, by deleting "*4.*" and inserting "*3.*".

Amend sec. 5, page 2, line 39, by deleting "*5.*" and inserting "*4.*".

Amend sec. 5, page 2, by inserting after line 41:

"*5. The governor may remove a member from the commission if the member neglects his duty or commits malfeasance in office.*".

Amend sec. 6, page 3, by deleting lines 6 through 8 and inserting "*material.*

2. May adopt regulations to administer and carry out the policies and programs of those divisions.".

Amend sec. 6, page 3, line 9, by deleting "*2.*" and inserting "*3.*".

Amend sec. 8, page 3, by deleting lines 20 through 25 and inserting: "*submitted to him by the commission.*

2. Is responsible to the commission and serves at its pleasure.".

Amend sec. 8, page 3, line 26, by deleting "*4.*" and inserting "*3.*".

Amend sec. 8, page 3, line 28, by deleting "*5.*" and inserting "*4.*".

Amend sec. 9, pages 3 and 4, by deleting lines 41 through 44 on page 3 and lines 1 through 3 on page 4 and inserting:

"*3. Shall serve as the director of the division of tourism.*

4. Shall appoint the administrator of the division of publications.

5. May perform any other lawful acts which he considers necessary".

Amend sec. 10, page 4 by deleting lines 5 and 6 and inserting:

"Sec. 10. Deleted by amendment.".

Amend sec. 11, page 4, by deleting lines 7 through 15 and inserting:

"Sec. 11. *1. The commission on tourism through its executive director may:*

(a) Employ such professional, technical, clerical and operational employees as the operation of the commission may require;

(b) Employ such experts, researchers and consultants and enter into such contracts with any public or private entities as may be necessary to carry out the provisions of sections 3 to 17, inclusive, of this act.

2. The executive director and all other nonclerical employees of the commission are exempt from the provisions of chapter 284 of NRS. The commission shall set their compensation and other conditions of employment.".

Amend sec. 12, page 4, by deleting line 18 and inserting:

"Sec. 12. *The commission on tourism, through its division of tourism, shall:*

1. Promote this state so as to increase the number of domestic and international tourists.

2. Promote special events which are designed to increase such tourism.".

Amend sec. 12, page 4, line 19, by deleting "*1.*" and inserting "*3.*".

Amend sec. 12, page 4, line 20, by deleting "2." and inserting "*4.*".

Amend sec. 12, page 4, by deleting line 24.

Amend sec. 12, page 4, line 25, by deleting "*4.*" and inserting "*5.*".

Amend sec. 12, page 4, line 26, by deleting "*state and*" and inserting: "*state, to fair and recreation boards, and*".

Amend sec. 12, page 4, line 27, by deleting "*for*" and inserting "*which promote*".

Amend sec. 12, page 4, line 28, by deleting "*that*" and inserting "*which*".

Amend sec. 12, page 4, by inserting between lines 30 and 31:

"*(c) Evaluating the effectiveness of the local programs and events.*".

Amend sec. 13, page 5, line 1, after "*the*" and inserting: "*commission on tourism through its*".

Amend sec. 13, page 5, lines 7 and 8, by deleting: "*a promotional film which is*" and inserting: "*promotional films which are*".

Amend sec. 14, page 5, line 15, after "*The*" by inserting: "*commission on tourism through its*".

Amend sec. 14, page 5, by deleting lines 17 through 22 and

inserting: "*Magazine. The magazine must contain materials which educate the general public about this state and thereby foster awareness and appreciation of Nevada's heritage, culture, historical monuments, natural wonders and natural resources.*".

Amend sec. 14, page 5, by deleting line 24 and inserting: "*tional materials that are created to carry*".

Amend sec. 16, pages 5 and 6, by deleting lines 41 through 43 on page 5 and lines 1 through 6 on page 6 and inserting: "*may charge reasonable fees for materials prepared for distribution.*

2. All such fees must be deposited with the state treasurer for credit to the commission. The fees must first be expended exclusively for materials and labor incident to preparing and printing those materials for distribution. Any remaining fees may be expended, in addition to any other money appropriated, for the support of the commission.".

Amend sec. 17, page 6, line 10, after "*on*" by inserting "*reasonable*".

Amend sec. 17, page 6, lines 14 and 15, by deleting: "*in the opinion of the governor or executive director*".

Amend sec. 18, page 6, line 17, by deleting "*division of*" and inserting "*commission on*".

Amend sec. 19, page 7, line 3, by deleting "*division of*" and inserting "*commission on*".

Amend the bill as a whole by adding a new section, designated section 19.5, following section 19, to read as follows:

"Sec. 19.5. *1. The office of the film commissioner is hereby created within the office of the governor.*

2. The film commissioner may establish an advisory committee on film.".

Amend sec. 20, page 7, line 28, by deleting: "*division of motion pictures*" and inserting "*film commissioner*".

Amend sec. 21, page 8, line 14, by deleting: "*18 to 20, inclusive,*" and inserting "*19.5 and 20*".

Amend sec. 22, page 8, line 24, by deleting the comma and inserting an italicized period.

Amend sec. 22, page 8, by deleting lines 25 through 27.

Amend sec. 23, page 8, by deleting lines 32 and 33 and inserting: "*mission on economic development is composed of the lieutenant governor, who is its chairman, and six members who are appointed by the governor.*".

Amend sec. 23, page 8, line 36, by deleting "*the business of*"

Amend sec. 23, page 8, line 37, by deleting: ", *agriculture or motion pictures,*" and inserting "*or agriculture,*".

Amend sec. 23, page 8, by inserting between lines 38 and 39:

"*3. The governor shall appoint at least one member who is a resident of:*

(a) Clark County.

(b) Washoe County.

(c) A county other than Clark and Washoe counties.

4. Except as otherwise provided in this section, no public officer or employee is eligible for appointment to the commission.".

Amend sec. 24, page 9, by deleting lines 13 through 15.

Amend sec. 24, page 9, line 16, by deleting "*3.*" and inserting "*2.*".

Amend sec. 24, page 9, line 17, by deleting "*4.*" and inserting "*3.*".

Amend sec. 24, page 9, line 19, by deleting "*5.*" and inserting "*4.*".

Amend sec. 24, page 9, by inserting after line 21:

"*5. The governor may remove a member from the commission if the member neglects his duty or commits malfeasance in office.*".

Amend sec. 25, page 9, line 43, by deleting "*of the*".

Amend sec. 25, page 10, by deleting lines 1 through 7 and inserting: "*recommended by the executive director concerning the promotion of industrial development and diversification in this state, but it is not responsible for the carrying out those policies and programs.*".

Amend sec. 27, page 10, by deleting lines 25 through 30 and inserting: "rable to that provided in [this chapter. The director is in the unclassified service of the state.

2. The director is]

NRS 231.020 to 231.130, inclusive, and sections 18 and 19 of this act.

2. Is responsible to the commission and serves at its pleasure.

3. Is entitled to receive the per diem [expense] allowance and".

Amend sec. 27, page 10, line 33, by deleting "*5.*" and inserting "*4.*".

Amend sec. 28, page 10, lines 39 and 40, by deleting: "*promoting the production of motion pictures,*".

Amend sec. 28, page 10, lines 43 and 44, by deleting: "*or the production of motion pictures.*" and inserting an italicized period.

Amend sec. 28, page 11, by deleting lines 17 through 19.

Amend sec. 28, page 11, line 20, by deleting:

"[4. Perform] *6.*" and inserting:

"4. [Perform]".

Amend sec. 28, page 11, line 23, by deleting "*to 20, inclusive,*" and inserting "*and 19*".

Amend sec. 29, page 11, by deleting lines 24 through 28 and inserting:

"Sec. 29. Deleted by amendment."

Amend sec. 30, page 11, by deleting lines 35 through 39 and inserting:

"2. [Each employee of the department who is in the unclassified service of the state shall devote his entire time and attention to the business of his office and shall not pursue any other business or occupation or hold any other office of profit.] *The executive director and all other nonclerical employees of the comission are exempt from the provisions of chapter 284 of NRS. The commission shall set their compensation and other conditions of employment.*".

Amend sec. 32, page 12, line 10, by deleting "*their*" and inserting "*his*".

Amend sec. 32, page 12, lines 11 and 12, by deleting: "*and administrator of the division of motion pictures*".

Amend sec. 32, page 12, line 15, by deleting "*and administrator*".

Amend sec. 32, page 12, by deleting lines 17 and 18 and inserting: "objectives of the [department. The director] *commission. The executive director* shall avail himself".

Amend sec. 33, page 12, by deleting line 28 and inserting:

"Sec. 33. Deleted by amendment."

Amend the bill as a whole by adding new sections, designated sections 34.2, 34.4, 34.6 and 34.8, preceding section 35, to read as follows:

"Sec. 34.2. Chapter 609 of NRS is hereby amended by adding thereto a new section which shall read as follows:

For the purposes of this chapter, "motion picture" includes a film to be shown in a theater or on television, a film to be placed on a video disc or tape, an industrial, training or educational film and a commercial for television.

Sec. 34.4. NRS 609.240 is hereby amended to read as follows:

609.240 1. No child under the age of 16 years [shall] *may* be employed, permitted or suffered to work at any gainful occupation, other than domestic service , *employment as a performer in the production of a motion picture* or work on a farm, more than 48 hours in any 1 week, or more than 8 hours in any 1 day.

2. The presence of a child in any establishment during working hours [shall be] *is* prima facie evidence of [its] employment *of the child* therein.

Sec. 34.6. NRS 609.245 is hereby amended to read as follows:

609.245 Every person who [shall employ,] *employs* and every parent, guardian or other person having the care, custody or control of such child, who [shall permit] *permits* to be employed, by another, any child under the age of 14 years at any labor whatever, in or in connection with any store, shop, factory, mine or any inside employment not connected with farmwork [or] housework, *or employment as a performer in a motion picture,* without the written permission for [such] *the* employment signed by a judge of the district court of the county of the child's residence, or signed by a juvenile master, referee or probation officer authorized to sign such a permit by a judge of the district court of the county of the child's residence, [shall be] *is* guilty of a misdemeanor.

Sec. 34.8. NRS 609.250 is hereby amended to read as follows:

609.250 [It] *Except for employment as a performer in a motion picture, it* is unlawful for any person, firm, or corporation to employ any child under 14 years of age in any business or service whatever during the hours in which the public schools of the school district in which the child resides are in session, unless the child has been excused from attendance by the school district or under order of the juvenile division of the district court for the purpose of employment.".

Amend the bill as a whole by adding a new section, designated section 35.5, following section 35, to read as follows:

"Sec. 35.5. NRS 231.010, 231.100, 231.120 and 231.150 are hereby repealed.".

Amend sec. 36, page 14, line 27, by deleting "Three" and inserting "Two".

Amend sec. 37, page 14, line 32, by deleting "Three" and inserting "Two".

Amend sec. 40, page 15, by deleting lines 2 and 3 and inserting:

"1. The commission on tourism shall conduct a study to determine the appropriate role, function and extent of the promotion of tourism necessary at the state level. It shall also develop a comprehensive marketing plan for both a long and short term with special emphasis on the coordination of state and local efforts for the promotion of tourism.".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Assemblyman Price moved that Assembly Bill No. 391 be re-referred to the Committee on Economic Development, Tourism and Mining.

Motion carried.

Bill ordered reprinted and engrossed.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Price moved that Assembly Bill No. 191 be placed on the Second Reading File.

Remarks by Assemblyman Price.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 191.

Bill read second time.

The following amendment was proposed by Assemblyman Redelsperger:

Amendment No. 457.

Amend the bill as a whole by deleting sections 1 through 7 and inserting:

"Secs. 1 through 7. (Deleted by amendment.)".

Amend sec. 23, page 7, line 36, after "*or*" by inserting: "*jet or turbine-powered*".

Amend sec. 24, page 8, line 17, after "*or*" by inserting: "*jet or turbine-powered*".

Amend sec. 28, page 10, line 32, after "*or*" by inserting "*operating*".

Amend sec. 32, page 12, by deleting lines 21 through 25 and inserting: "*taxes on fuel for jet or turbine-powered aircraft in the state general fund.*".

Amend sec. 35, page 14, by deleting lines 2 through 29 and inserting:

"494.046 1. All money remitted to county treasurers pursuant to

NRS [494.041 to 494.046, inclusive,] *365.565* must be credited by them to the airport fund of the county.

2. The county airport fund must be administered by the board of county commissioners.

3. The fund must be available for the planning, establishment, development, construction, enlargement, improvement, operation and maintenance of airports, landing areas and air navigation facilities within the county established, owned or controlled, or to be established, owned or controlled, by the county or any incorporated city within the county.

4. The fund must not be used for any purpose other than as specified in subsection 3.

5. If any airport or landing area within a county is owned or controlled by an incorporated city, money in the county airport fund must be apportioned as follows:

(a) If the airport or landing area owned or controlled by an incorporated city is the only publicly owned or controlled airport or landing area within the county, all money in the fund must be allocated to such incorporated city.

(b) If two or more incorporated cities within the county own or control airports or landing areas and the county does not own or control any airport or landing area, all money in the fund must be apportioned among such incorporated cities in proportion to the assessed valuation of property within the boundaries of such cities.

(c) If the county and one or more incorporated cities within the county own or control airports or landing areas, money in the fund must be apportioned between the county and''.

Amend the bill as a whole by deleting sections 36 through 39 and inserting:

''Secs. 36 through 39. (Deleted by amendment.)''.

Amend sec. 40, page 15, line 36, by deleting ''231.010,''.

Amend the title of the bill to read as follows:

''An Act relating to taxation; enacting an excise tax on fuel for jet or turbine-powered aircraft; and providing other matters properly relating thereto.''.

Amend the summary of the bill to read as follows: ''Enacts excise tax on fuel for jet or turbine-powered aircraft.''.

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Assemblyman Price moved that Assembly Bill No. 191 be returned to the Concurrent Committee on Economic Development, Tourism and Mining.

Motion carried.

Bill ordered reprinted and engrossed.

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

Assembly in recess at 12:03 p.m.

ASSEMBLY IN SESSION

At 12:04 p.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 349.
Bill read third time.
Remarks by Assemblyman Perry.
Roll call on Assembly Bill No. 349:

YEAS—42.
NAYS—None.

Assembly Bill No. 349 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 385.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Assembly Bill No. 385:

YEAS—41.
NAYS—Ham.

Assembly Bill No. 385 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 423.
Bill read third time.
Remarks by Assemblyman Francis.
Roll call on Assembly Bill No. 423:

YEAS—42.
NAYS—None.

Assembly Bill No. 423 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 61.
Bill read third time.
Remarks by Assemblyman Bourne.
Roll call on Senate Bill No. 61:

YEAS—42.
NAYS—None.

Senate Bill No. 61 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 168.
Bill read third time.

Remarks by Assemblymen Bremner, Jeffrey, Nicholas, Price and Sader.

Roll call on Senate Bill No. 168:

YEAS—41.
NAYS—Zimmer.

Senate Bill No. 168 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 195.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 195:

YEAS—42.
NAYS—None.

Senate Bill No. 195 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Chaney, Price, Collins, May, Nicholas, Joerg, Sedway, DuBois, Brady, Redelsperger, Thompson, Banner, Ham, Getto, Craddock, Kerns, Kovacs, Thomas, Berkley, Bilyeu, Francis, Swain, Jeffrey, Vergiels, Schofield, Stewart, Fay, Stone, Bergevin, Nevin, Marvel, Malone, Perry, Dini, Beyer and Coffin:

Assembly Bill No. 508—An Act relating to economic development; providing for the designation, approval and management of specially benefited zones in certain depressed areas of the state; providing for or authorizing various measures to stimulate economic development within the zones, including the elimination or modification of certain regulations, the development of programs for local improvements and training for employment, the sale or lease of unused governmental property, financing by tax increment, the deposit of public money in certain local financial institutions, a credit or refund for qualified businesses of certain taxes paid on retail sales of property purchased to conduct business, and a credit for qualified businesses against contributions due for unemployment compensation; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Concurrent Committees on Economic Development, Tourism and Mining and Ways and Means.

Motion carried.

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 509—An Act relating to ground water basins; allowing a hearing on administration of a basin to be held outside the basin if adequate meeting facilities are not available within the basin; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 50, 216, 289; Senate Bills Nos. 157, 173, 198, 252.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Tiny Humphrey.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Charles P. McCuskey and Pat Bates.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Ward Zimmerman.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Connie Maynard, Kale Martin, Judy Barrow, Barbara Jensen, Lorraine Jackson, Paula Schlegelmilch, Irmtraud Stugard, Carolyn Nelson, Marian O'Hara, Judy Hall, Norma Gunderson, Anne Ghiselle, Marian Downer, Bobbi Henry, Martha Bernard, Barbara Sanderson, Toni Weddle, Gloria Carlson, Marian Anderson, Messrs. Fred Stugard, Art Hall and Harry Bernard.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, April 13, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:32 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-SEVENTH DAY

CARSON CITY (Wednesday), April 13, 1983

Assembly called to order at 11:04 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend William J. Helmstetter.

My Lord and God, we come before you in humility and in worship. Lord, you know these men and these women. You know their strengths and their weaknesses; their goals and their desires; their sins and their faults. I pray that you would be with each of them individually. Minister to them, lead them, help them and guide them. I commit this assembly into your hands. In Jesus' name,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

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

Assembly in recess at 11:06 a.m.

ASSEMBLY IN SESSION

At 11:16 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 98, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 173, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Education, to which were referred Assembly Bills Nos. 174, 357, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bills Nos. 57, 291, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 389, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Bill No. 275, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 161, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which were referred Assembly Bills Nos. 432, 433, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 343, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 320, Assembly Joint Resolution No. 18, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 12, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 225, 250, 267, 278, 282, 312, 324, 330.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 285.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 117, 248.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Elections:

Assembly Bill No. 510—An Act relating to elections; providing for use of computers in registration of voters and in keeping records of registrations; providing for use of identification cards for registered

voters in counties where computers are so used; eliminating the requirement that original affidavits of registration be kept at polling places in those counties; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

Senate Bill No. 117.

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

Motion carried.

Senate Bill No. 248.

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

Motion carried.

Senate Bill No. 285.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 315 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 333.

Bill read second time.

The following amendment was proposed by Assemblyman Nevin:

Amendment No. 448.

Amend section 1, page 1, by deleting line 14.

Amend section 1, page 1, line 15, by deleting "*(b)*" and inserting "*(a)*".

Amend section 1, page 1, line 16, by deleting "*(c)*" and inserting "*(b)*".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 21.

Resolution read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 22.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 99.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 449.

Amend section 1, page 2, line 25, by deleting "*independent*".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Economic Development, Tourism and Mining, to which was referred Assembly Bill No. 248, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT E. PRICE, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Assembly Bill No. 336 be taken from the General File and re-referred to the Committee on Judiciary.

Motion carried.

Assemblyman Dini moved that Assembly Bill No. 368 be taken from the Chief Clerk's desk and re-referred to the Committee on Government Affairs.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 94.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 94:

YEAS—40.

NAYS—Chaney.

Not voting—Collins.

Assembly Bill No. 94 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 95.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 95:

YEAS—42.

NAYS—None.

Assembly Bill No. 95 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 96.
Bill read third time.
Remarks by Assemblymen Bergevin, Ham, Stone, Sader and Collins.
Roll call on Assembly Bill No. 96:

YEAS—42.
NAYS—None.

Assembly Bill No. 96 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 230.
Bill read third time.
Remarks by Assemblymen Dini, Bergevin, Jeffrey, Bogaert, Craddock, Thomas and Bourne.
Roll call on Assembly Bill No. 230:

YEAS—22.
NAYS—Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Brady, DuBois, Francis, Getto, Ham, Humke, Joerg, Kerns, Malone, Marvel, Nicholas, Redelsperger, Stone, Thomas, Zimmer—20.

Assembly Bill No. 230 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 242.
Bill read third time.
The following amendment was proposed by the Committee on Commerce:
Amendment No. 481.
Amend sec. 9, page 6, line 30, after "12:01" by inserting "a.m.".
Assemblyman Jeffrey moved the adoption of the amendment.
Remarks by Assemblyman Jeffrey.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 384.
Bill read third time.
Remarks by Assemblyman Francis.
Roll call on Assembly Bill No. 384:

YEAS—40.
NAYS—Banner, Nicholas—2.

Assembly Bill No. 384 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 116.
Bill read third time.
Remarks by Assemblyman Fay.

Roll call on Senate Bill No. 116:

YEAS—42.

NAYS—None.

Senate Bill No. 116 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 118.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Senate Bill No. 118:

YEAS—42.

NAYS—None.

Senate Bill No. 118 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 216.

Bill read third time.

Remarks by Assemblymen Collins, Chaney, Thomas, Kovacs, Sedway, Nevin, Swain, DuBois and May.

Roll call on Senate Bill No. 216:

YEAS—36.

NAYS—Bourne, DuBois, Ham, Kovacs, Stewart, Swain—6.

Senate Bill No. 216 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 235.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Senate Bill No. 235:

YEAS—42.

NAYS—None.

Senate Bill No. 235 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 511—An Act relating to county fire protection districts; making certain changes in the procedures for election of directors for those districts and in filling any vacancy on the board of directors; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 512—An Act relating to county boundaries; conforming the boundaries of Churchill, Pershing and Washoe counties to the section, township and range lines; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Speaker pro Tempore announced there will be a Joint Recess of the Senate and Assembly, Thursday, April 14, 1983, 11:15 a.m., for the purpose of hearing Mr. Robert T. Thompson, Chairman of the Board of the Chamber of Commerce of the United States.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 196, 199; Senate Concurrent Resolution No. 26.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Coffin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Andy Badick and Ms. Mary Phillips.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Georgia Fulstone and Martha Griffin.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Peter Krueger.

On request of Assemblymen DuBois and Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Roger Sedway.

Assemblyman Stewart moved that the Assembly adjourn until Thursday, April 14, 1983, at 10:45 a.m.

Motion carried.

Assembly adjourned at 12:16 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-EIGHTH DAY

CARSON CITY (Thursday), April 14, 1983

Assembly called to order at 10:54 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend William J. Helmstetter.

Heavenly Father, Holy is your name.

You tell us in your Bible that we should pray for those in government and those in authority. So I stand before you today for your hand to be upon this assembly.

The decisions made here will affect hundreds of thousands of people. I pray that you would grant wisdom and guidance. Let the best and the correct decisions be made.

I commit this assembly into your hands.

In Jesus' name,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 374, 400, 421; Senate Bill No. 80, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 299, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 408; Senate Bill No. 193, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Bill No. 222, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 13, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 228, 287.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 189, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 287.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 71, 86, 220, 257, 258, 277.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 2.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 2.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Taxation.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 513—An Act relating to battery; extending the definition of "officer" to include a person who provides certain emergency medical care for the purposes of an enhanced penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Jeffrey, Thompson, Thomas and Getto:

Assembly Bill No. 514—An Act relating to the casino entertainment tax; increasing the number of games for which an establishment may be licensed and be exempt from the tax; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 71.

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

Motion carried.

Senate Bill No. 86.

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

Motion carried.

Senate Bill No. 220.

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

Motion carried.

Senate Bill No. 257.

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

Motion carried.

Senate Bill No. 258.

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

Motion carried.

Senate Bill No. 277.

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

Motion carried.

Senate Bill No. 287.

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

Motion carried.

SPECIAL ORDERS OF THE DAY

In accordance with the provisions of Senate Concurrent Resolution No. 7, the special joint committee to study rates charged by public utilities reported back to the 62nd Session of the Legislature with the following Summary of Recommendations:

SUMMARY OF RECOMMENDATIONS

This summary represents the major conclusions reached by the committee. These conclusions are based upon (1) suggestions which were made to the committee at public hearings by utilities, utility customers, the public service commission of Nevada (PSCN), and the office of advocate for consumers of public utilities; (2) written responses to the committee's questions to interested parties; (3) other correspondence to the members and staff of the committee; and (4) the experience and knowledge of the committee members.

The committee suggests that those recommendations requiring legislation be drafted into appropriate form and be considered by the 62nd session of the legislature.

The committee recommends:

I. UTILITY BILLS

A. Short-term

1. The statutes be amended to require utilities to develop energy conservation loan programs for residential consumers which consist of 5 percent, 1-year loans not exceeding $600 for insulation, weatherization, and heat pump installation.

   The committee recommends further that the public service commission pursue other cost-effective programs which can enhance and substitute for the energy conservation loan program. The committee believes this recommendation should be considered in context with the utility resource planning act provided for by Senate Bill 161 of the 1983 legislative session.

2. A resolution be adopted directing the state office of community services to provide utility bill assistance to the needy from fuel overcharge rebate funds when such funds become available.

The committee recommends further that as a condition of receiving utility bill assistance, persons receiving such funds be provided information on energy saving practices. As an option, energy assistance funds may be used to provide direct grants for the installation of energy conservation measures.

3. A resolution be adopted encouraging the PSCN to authorize utilities to give 2 cents per kilowatt hour rate reductions to customers who conserve energy as determined by the Nevada department of energy.
4. The statutes be amended to permit the PSCN to adopt separate utility rates for elderly persons over 62 years of age whose household incomes are not more than $12,000 annually.
5. The statutes be amended to eliminate duplication of millage taxes imposed on electric customers.
6. The statutes be amended to require the PSCN to cause any regulated utility earning a rate of return in any 12-month period that is greater than the rate of return authorized by the PSCN in the last rate proceeding to credit the earnings in excess of its authorized rate of return to a deferred energy account or otherwise refund such amounts to its customers.
7. A resolution be adopted directing the PSCN to establish regulations providing for utilities to grant discounts to residential customers who voluntarily use less power during peak energy demand periods.
8. The statutes be amended to require utilities to disclose to potential tenants or homeowners historical records of the unit's energy costs, and the unit's energy consumption rating as determined by the NDOE, and to require landlords to inform potential tenants of the availability of such information.
9. A resolution be adopted encouraging utilities to provide for automatic budget payment plans when high bills occur because of short abnormal weather periods.

B. Long-term

1. Utility resource planning provisions, similar to those contained in Senate Bill 161 of the 1983 legislative session, be added to the law.
2. A resolution be adopted directing the NDOE to revise the state's energy conservation standards to adhere to principles of cost-effectiveness. The committee recommends further that such standards require local building construction codes to provide for enhanced insulation and other standards which ensure that buildings are constructed in as energy-efficient manner as current technology and life-cycle economics can provide.
3. The statutes be amended to permit the PSCN to require utility company subsidiaries with valuations over $1 million to establish separate subsidiaries with their own capital structures and their own sources of funding. The committee recommends further that utility parent companies be allowed to provide equity to such subsidiaries.
4. The statutes be amended to provide that the PSCN require utility companies to demonstrate at rate hearings that the companies have adhered to sound management practices, and that the operating and maintenance expenses of the utility companies have been held to reasonable minimum levels.
5. A resolution be adopted directing the PSCN to adhere to statutory provisions restricting the filing of rate increase requests to no more than one per 180-day period.
6. The energy conservation standards for new building construction be amended to include provisions for restricting the installation of electric resistance heating systems. The restriction against the installation of electric resistance heaters should not be applied when:
   (a) The resistance heating system is being used to supplement a primary alternative energy system.
   (b) Prohibiting the use of electric resistance heating systems would not promote energy conservation.

(c) Nonelectric resistance heating systems are not a practical alternative to electric resistance heating systems.

II. PUBLIC SERVICE COMMISSION

A. The statutes be amended to expand the public service commission from three to five members. The committee recommends further that commissioners serve 4-year staggered terms.

B. The statutory provision requiring that no more than two PSCN commissioners may be members of the same political party be repealed.

C. A resolution be adopted recommending that one of the initial actions taken by the newly comprised public service commission be to review the maximum permissible levels of rates of return allowed to utilities to determine if lower capped rates would be feasible.

D. A resolution be adopted directing the PSCN to act on consumer complaints about utilities within 30 calendar days.

E. A resolution be adopted directing the PSCN to provide agendas for hearings of the commission to persons who request them.

III. OTHER RECOMMENDATIONS

A. Local Franchise Taxes

The statutes be amended to require that any utility franchise tax be approved by the Nevada tax commission. This requirement should apply to existing utility franchise taxes. The committee recommends further that any increase in such taxes be approved by the commission.

B. Repeal of PURPA

A resolution be adopted and forwarded to Congress requesting the repeal of the Public Utilities Regulatory Policy Act of 1978 (PURPA).

C. Mobile Homeowners Rebate and Master Meter Programs

Local governments enforce statutory provisions relating to utility rates in mobile home parks with master utility meters.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that all rules be suspended and that he be permitted to request the drafting of bills pertaining to the recommendations of the special joint committee to study rates charged by public utilities in accordance with the provisions of Senate Concurrent Resolution No. 7.

Remarks by Assemblyman Nevin.

Roll call on Assemblyman Nevin's motion:

YEAS—42.

NAYS—None.

Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 470, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Taxation.

PAUL W. MAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Assembly Joint Resolution No. 16 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Mr. Speaker announced that if there were no objections, the Assembly would recess subject to the call of the Chair for a Joint Recess of the Senate and Assembly for the purpose of hearing Mr. Robert T. Thompson, Chairman of the Board of the Chamber of Commerce of the United States.

Assembly in recess at 11:14 a.m.

ASSEMBLY IN SESSION

At 11:45 a.m.
Mr. Speaker presiding.
Quorum present.

REMARKS FROM THE FLOOR

Assemblyman Jeffrey requested that Mr. Robert T. Thompson's remarks be entered in the Journal:

It is a pleasure for me to be here in Carson City and have this honor of addressing you. This is the first time that I have ever addressed a legislature, joint or otherwise. I am especially proud to be doing this in Nevada. I had an interesting offshoot from this from which I think you would get a kick. A good friend of mine, who is a Senator in South Carolina where we live, called me on the phone last week and he said, "I heard you were making a speech to the Nevada Legislature." I said, "Yes, that's correct." He said "What the hell are you going way out there for? Why don't you speak to our legislature?" And I said it was simply because nobody had invited me. So the next day I got a joint resolution from the legislature of South Carolina and next week I'm going to address the South Carolina Legislature. So thank you for getting me into my own legislature. Also, my wife travels with me to keep me out of trouble. Especially when I come into a gaming state. I told her to look carefully, and if you have slot machines behind those desks to put a quarter in for me. Again, thank you for the privilege and honor of coming here.

I would like to speak with you today about a problem we are all too familiar with—the runaway growth of federal spending and the resulting deficits that threaten our Nation's economic recovery.

There are those who would tell us that there is nothing that can be done about the projected oceans of red ink in the next several years. They would tell us that the deficit is structural, writ in stone, something we must live with—like the weather. We heard the same arguments three years ago, telling us that there was nothing we could do to lower inflation.

Those of you in this chamber know better than that. Your State constitution wisely requires that the State budget be in balance each year and every year. It can be done. Virtually every state in the union, most cities and towns, require a balanced budget. As individuals we certainly realize that we cannot spend more on the family budget than our incomes allow.

Of course it is not easy. It requires discipline and hard choices. But in the process of growing from childhood to adulthood we learn that our desires and wishes must be brought in line with available resources. It is time that we demand the same self control of the men and women we send to Washington to act as stewards of our National Government.

The Nevada State Legislature has been in the forefront of the effort to impose fiscal discipline on the spendthrifts in Washington. This body has twice—in 1977 and again in 1979—called upon Congress to pass a balanced budget amendment to the Constitution, and failing that, to convene a second Constitutional Convention limited to that single

purpose. The U.S. Chamber of Commerce endorses such an amendment and I am delighted that 30 other states have joined Nevada in this call for fiscal responsibility.

Of course, the mounting deficits and the seemingly uncontrollable growth of the federal budget did not just happen overnight. The problems have been building over time like the water pressure on a poorly built dam.

In 1960, the federal budget was below $100 billion. By 1970, ten years later, it was fast approaching $200 billion. From there the pace quickened. Another $100 billion took only five years. A $300 billion budget by 1975; $400 billion two years later in 1977; $500 billion by 1979; and now $800 billion in 1983. An eight-fold increase in 23 years. Did your constituents' incomes rise eight times in this period? Or did their incomes make way so that Washington could spend more—and more?

The U.S. Chamber of Commerce, for which I have the privilege of serving as Chairman, took stock of the path America was heading down and in 1978 developed a program to get us back on track. We called it the "Let's Rebuild, America" program. It consisted of five parts:

1. To cut the marginal tax rates faced by working men and women and to reduce tax rates on business and industry.
2. To slow the growth of the money supply in order to reduce the double-digit inflation that was wracking the economy, destroying personal savings, and forcing up interest rates.
3. To reduce the regulatory burden on individuals and businesses that reduced individual freedom and increased the costs of all goods and services.
4. To restrain the growth of federal spending.
5. To maintain and strengthen America's national defense while maintaining respect for the taxpayers' dollars.

By 1980 the nation had come to realize that the failed policies of tax and spend, had ill-served them. They had not brought prosperity, or opportunity. These policies had enriched Washington and impoverished the nation. They offered an era of "limits" for the American people and an era of unlimited spending for the Washington politicians. The people were to live with less so that Washington could continue in the style to which it had become accustomed. I don't know whether you realize it or not, but the counties around Washington, D.C., which are populated mostly by employees of the Federal Government, have the highest per capita income of any counties in the United States. That ought to tell you something about where our tax money is going.

And so in 1980 the American people went to the polls and elected a great number of senators and congressmen and a president committed to the five priniciples I just mentioned.

And progress was made in four of the five areas.

Tax rates were reduced across the board for working men and women. Tax brackets were indexed to prevent the backdoor tax of "bracket creep."

Inflation fell from double-digits to below four percent for 1982 and below one percent thus far this year.

Regulations began to be scrutinized for cost/benefit analysis and $9 billion was saved in time costs and $6 billion in annual costs.

And our Nation's defenses, long neglected in the face of the Soviet build-up, began to rebuild.

In one area, however, the policies of the past continued unabated: federal spending. Jimmy Carter left us with a budget of $657 billion. The 1984 budget will top $850 billion. Indeed, the budget is estimated to hit the one trillion dollar mark by 1986.

To date, Congress and the Administration remain in a state of self-induced paralysis. Nothing can be done, we are told. No reduction in the growth of federal give-aways are possible without throwing widows and orphans into the streets. The budget is already cut to the bone, they say. Really now, a budget over $800 billion with no waste or areas for improvement? This budget cannot be asked to grow more slowly in the future than it has in the past.

This challenge intrigued me. Was there no way to design a budget such that America could enjoy a balanced budget by 1989 without increasing taxes on an already overtaxed people? Tax revenues continue to climb and so there need not be any actual cuts in the budget but simply a slowdown in the skyrocketing growth. Was this really impossible?

The U.S. Chamber of Commerce economists went to work and put together a budget that would yield a balanced budget—a halt to the rivers of red ink—by 1989. Without

gutting any social spending program. Without increasing taxes and without denuding our national security.

I would like to share with you today the six simple to understand steps required:

1. To freeze the cost-of-living adjustments or COLAs for all indexed retirement and disability programs for one year to correct for past over-indexing caused by flaws in the Consumer Price Index. (Social Security benefits to give an example have increased 200 percent since 1970, while after-tax wages have grown by only 110 percent.)

After a freeze in 1984, these outlays would be adjusted by an "equity cap" COLA equal to the average, private sector wage COLA of 60 percent of the CPI each year.

Second, the growth in medicare and medicaid programs would be limited to the growth in the number of beneficiaries plus the change in consumer prices. Thus freezing real outlays per beneficiary, but protecting present levels.

Third, to freeze federal civilian pay in 1984 at the federal level as the Administration has recommended and accept the Administration's proposals for military pay. Thereafter, total payroll would be allowed to increase by three percent each year. Individual pay could increase as attrition took place in the federal workforce which, hopefully, will decrease in size over this period of time.

Fourth, defense outlays other than retirement and pay, mentioned above, would be limited to seven percent real growth each year. Thus meeting America's defense needs as President Reagan saw them at the beginning of his current term.

Fifth, accept the Social Security compromise passed as a bi-partisan package, which has already been voted into law and which I understand the President will sign in a ceremony today. I think he's probably going to have to rent Constitution Hall to get all the cosponsors under one roof when he signs that particular bill.

Sixth, our proposal would accept the Administration's spending projections for all other categories.

These six proposals would reduce the budget deficit to between $15 and $20 billion by 1988, and give us a balanced budget with a surplus, hopefully, in 1989. And, 1989 is the Bicentennial of America's Constitution, a document masterminded by our forefathers to develop the fiscal stability of their new nation. I cannot think of a better time to return to the solid disciplines they envisioned. Negotiations were continuing in Washington on Tuesday, but I am confident our discussions with Congress will continue to be fruitful.

We are even hopeful that the Administration will sign on to the proposal which we have made in testimony before the Senate Budget Committee and in pleas to various members of the Senate Budget Committee. But if we don't succeed in the Senate Budget Committee, and it's unlikely that we will, we intend to take this fight to the Floor of the Senate of the United States. I had a meeting yesterday morning with Howard Baker, the Majority Leader of the U.S. Senate. I explained all of this to him and he didn't throw me out of his office. He gave me some reason to be encouraged that this is possible. Not in the Budget Committee, but on the Floor of the Senate. I hope that your two senators will be with us. I think they will.

I would like to address for a moment the "equity cap" for COLAs because this is the key to budget control. Today, over 30 percent of the federal budget is indexed to the Consumer Price Index. Thus federal pay and pension programs and a host of entitlement programs are automatically adjusted upward even faster than the true inflation rate. They are even considering now indexing their own pay in Congress. I suppose it's not a bad idea if you are worried about your constituents questioning how much money you pay yourselves at their level. I don't think they're overpaid, however, I don't think they ought to duck the proposition of having to vote on what they do make as they take these jobs.

To date, these COLA increases have cost the federal budget $500 billion. What was Everett Dirksen's comment, "A billion here, a billion there and pretty soon you're talking about real money." Well, $500 billion is real money—it's half the national debt!

Simply fairness demands a reform of the cost-of-living adjustments. While all federal bureaucrats have their pay and pensions indexed to the CPI, only 10 percent of the taxpayers have any indexing provision for their wages and only three percent have any such adjustment for pensions. And for that select group with indexed pay or pensions, they average a cost-of-living adjustment of 60 percent of the Consumer Price Index—not the 100 percent government beneficiaries receive.

Is it really fair to have the taxpayers foot the bill for 100 percent COLAs when the

best protected workers in the private sector receive 60 percent? The question answers itself. Of course not.

I would like to thank you for the opportunity of speaking with you today and presenting the U.S. Chamber's proposal for achieving a balanced budget by 1989 without raising taxes, gutting any welfare or social programs or ignoring the legitimate needs of national defense.

Together, state legislators, business leaders and all taxpayers can and should demand fiscal responsibility from our national leadership.

We can give our founding fathers a great tribute on the 200th anniversary of our great Constitution, a balanced budget.

Thank you.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Assembly Bill No. 515—An Act relating to gaming; requiring a provision for the payment of any deficiency in prior fees or taxes in certain contracts for the sale or lease of property; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 516—An Act relating to the judicial department; providing seals for lower trial courts; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Bogaert, Nevin, Stone, Price and Joerg:

Assembly Bill No. 517—An Act relating to contractors on public works projects; deferring payment of small amounts of interest due on money withheld by public body; and providing other matters properly relating thereto.

Assemblyman Bogaert moved that the bill be referred to the Committee on Commerce.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 379, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 57.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 472.

Amend section 1, page 2, line 7, by deleting the period and inserting "*in taxicabs.*".

Amend section 1, page 2, line 9, by deleting "$100" and inserting "[$100] *$1,000*".

Amend sec. 2, page 2, line 14, after "authority" by inserting: ", for the transportation of the elderly in taxicabs,".

Amend sec. 2, page 2, line 15, after "1985," by inserting: "to the extent in each year that money is available in the taxicab authority fund which is not required for performing the duties of the authority,".

Assemblyman Coffin moved the adoption of the amendment.

Remarks by Assemblyman Coffin.

Amendment adopted.

Assemblyman Schofield moved that Assembly Bill No. 57 be placed on the Chief Clerk's desk.

Remarks by Assemblyman Schofield.

Motion carried.

Bill ordered reprinted and engrossed.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 470 be placed on the Second Reading File.

Remarks by Assemblyman May.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 161.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 450.

Amend sec. 9, page 4, by deleting lines 20 through 23 and inserting:

"*(a) An* employment agency must pay to the labor commissioner a fee of $100 before the license is issued, and thereafter he must pay a fee of $100 on or before the last day of each year to carry on the business for the following year. [No fee may be refunded.]".

Amend sec. 9, page 4, line 24, by deleting "*$150*" and inserting "*$100*".

Amend sec. 9, page 4, by deleting line 26 and inserting: "*of $100 on or before the last day of each year to carry on the business for the following year.*

No such fee may be refunded.".

Amend sec. 9, page 4, by deleting line 32 and inserting: "*the change of location of an employment or talent agency or a branch office of an employment or talent*".

Amend sec. 10, page 4, line 39, by deleting "*of:*" and inserting "*of $1,000.*".

Amend sec. 10, page 4, by deleting lines 40 and 41.

Amend sec. 10, page 5, line 18, by deleting the colon and inserting "$5,000,".

Amend sec. 10, page 5, by deleting lines 19 and 20.

Amend sec. 18, page 7, by deleting lines 14 through 33 and inserting:

"Sec. 18. Deleted by amendment.".

Amend sec. 28, page 9, line 25, by deleting "36," and inserting "35,".

Amend sec. 31, page 10, by deleting lines 11 through 13.

Amend sec. 31, page 10, line 14, by deleting "*4.*" and inserting "*3.*".

Amend the bill as a whole by deleting section 36.

Amend the bill as a whole by renumbering sections 37 through 39 as sections 36 through 38.

Amend sec. 39, page 12, by deleting lines 1 through 12 and inserting:

"Sec. 39. Section 9 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 173.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 174.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 477.

Amend section 1, page 1, line 4, after "*development,*" by inserting: "*it is unlawful to disclose*".

Amend section 1, page 1, by deleting line 6 and inserting "*the tests.*".

Amend sec. 2, page 2, line 12, by deleting "*authorized only*" and inserting "*unlawful except*".

Amend sec. 3, page 2, by deleting lines 30 through 33 and inserting:

"*2. It is unlawful for the department to disclose or release the information in such an application or any related document except pursuant to the applicant's written authorization.*

3. The department shall, upon request, make available the applicant's file for his inspection during regular business hours.".

Amend the title of the bill, fourth line, after "personnel;" by inserting: "providing penalties for unlawful disclosure;".

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblymen Craddock, Swain and Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 248.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Tourism and Mining:

Amendment No. 489.

Amend section 1, page 1, by deleting lines 3 and 4 and inserting: "*The state land registrar may acquire land to produce public revenue by leasing it for a term not to exceed 99 years or selling it for private development.*".

Amend the title of the bill, first and second lines, by deleting: "purchase urban land to" and inserting: "acquire land for sale or".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Government Affairs.

Assembly Bill No. 291.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 483.

Amend section 1, page 1, line 10, after "*department*" by inserting: "*which are intended primarily for the use of tourists*".

Assemblyman Redelsperger moved the adoption of the amendment.

Remarks by Assemblyman Redelsperger.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 320.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 480.

Amend section 1, page 2, line 2, by deleting "or" and inserting: "[or]".

Amend section 1, page 2, line 5, by deleting the period and inserting "[.] *; or*

(3) Apply a flame-retarding solution which has been approved by the authority and will produce an interior finish equal to that required by subparagraph (1).".

Amend section 1, page 2, by deleting lines 15 through 17 and inserting:

"*(d) Any other area which:*

(1) Is at ground level;

(2) Has no public area more than 100 feet from an outside exit;

(3) Limits occupancy to 50 persons per 1,000 square feet;

(4) Is not more than two stories in height; and

(5) Contains no areas regularly used for sleeping or living,

if the area complies with the requirements set by the authority for interior finishes in all areas and for smoke-detectors and domestic fire sprinklers in hazardous areas.''.

Assemblyman Kerns moved the adoption of the amendment.

Remarks by Assemblyman Kerns.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 343.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 357.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 468.

Amend section 1, page 1, by deleting lines 2 and 3 and inserting:

''388.490 1. Except as provided in subsections 2, 3 [, 4 and 5,] *and 4,* handicapped minors may be admitted at the age of [5]''.

Amend section 1, page 1, line 6, by deleting the bracket.

Amend section 1, page 1, line 15, by inserting an open bracket before ''5.''.

Amend the title of the bill, first line, by deleting ''all'' and inserting ''certain''.

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.

Assemblyman Craddock moved that Assembly Bill No. 357 be rereferred to the Committee on Ways and Means.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 389.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 432.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 433.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 18.

Resolution read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 486.

Amend the resolution, page 2, by deleting lines 19 through 22.

Amend the resolution, page 2, by deleting lines 24 and 25 and inserting: ''of this resolution to all members of the''.

Assemblyman Bogaert moved the adoption of the amendment.

Remarks by Assemblyman Bogaert.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

Senate Bill No. 98.

Bill read second time and ordered to third reading.

Assembly Bill No. 470.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 455.

Amend sec. 2, page 1, by deleting lines 4 through 8 and inserting: "*context otherwise requires, "lodging" means any room or other accommodation which is*".

Amend sec. 3, page 1, by deleting lines 12 through 14 and inserting: "*imposed upon all persons in the business of providing lodgings, at the rate of $1 for each rented lodging for each night.*".

Amend sec. 5, page 2, by deleting lines 26 through 30 and inserting: "*the state treasurer for credit to the state general fund.*".

Amend the title of the bill, on the first and second lines, by deleting: "lodging to support the promotion of tourism and economic development;" and inserting "lodging;".

Amend the summary of the bill, on the first and second lines, by deleting: "lodging to support promotion of tourism and economic development." and inserting "lodging.".

Assemblyman Kovacs moved the adoption of the amendment.

Remarks by Assemblyman Kovacs.

Amendment adopted.

The following amendments were proposed by Assemblyman Kovacs:

Amendment No. 469.

Amend sec. 3, page 1, by deleting line 11 and inserting:

"Sec. 3. *1. Except as otherwise provided in subsections 3 and 4, a tax is hereby*".

Amend sec. 3, page 1, by inserting between lines 16 and 17:

"*3. The state board of examiners may reduce the rate of the tax imposed by subsection 1 in increments of $0.25 if the balance of the state general fund shows a surplus of $50,000,000. The reduction must not cause that surplus to become less than approximately $50,000,000.*".

Amend sec. 3, page 1, line 17, by deleting "*3.*" and inserting "*4.*".

Amendment No. 470.

Amend the bill as a whole by adding a new section, designated section 8, following section 7, to read as follows:

"Sec. 8. This act expires by limitation on July 1, 1985.".

Assemblyman Kovacs moved the adoption of the amendments.

Remarks by Assemblyman Kovacs.

Amendments adopted.

Assemblyman Kovacs moved that Assembly Bill No. 470 be rereferred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted and engrossed.

GENERAL FILE AND THIRD READING

Assembly Bill No. 149.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Assembly Bill No. 149:

YEAS—42.
NAYS—None.

Assembly Bill No. 149 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 275.
Bill read third time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 490.
Amend sec. 3, page 2, by deleting line 22 and inserting:
"*3. Property seized under this section*".
Amend sec. 3, page 2, line 27, after "*proceedings.*" by inserting: "*The seized property is subject to an action to claim the delivery of the property if the agency does not file the complaint for forfeiture within 60 days after the property is seized. If a complaint for forfeiture is filed after an affidavit claiming delivery, the complaint must be treated as a counterclaim.*".
Assemblyman Malone moved the adoption of the amendment.
Remarks by Assemblyman Malone.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 370.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Assembly Bill No. 370:

YEAS—42.
NAYS—None.

Assembly Bill No. 370 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 21.
Resolution read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Joint Resolution No. 21:

YEAS—42.
NAYS—None.

Assembly Joint Resolution No. 21 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 22.
Resolution read third time.
Remarks by Assemblyman Marvel.
Roll call on Assembly Joint Resolution No. 22:
YEAS—42.
NAYS—None.

Assembly Joint Resolution No. 22 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Senate Bill No. 135.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Senate Bill No. 135:
YEAS—42.
NAYS—None.

Senate Bill No. 135 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 16.
Resolution read third time.
The following amendment was proposed by Assemblymen Stewart and Bilyeu:
Amendment No. 431.
Amend the resolution on page 2, line 23, by deleting "6." and inserting "[6.]".
Amend the resolution on page 2, line 24, after "*censure.*" by inserting "*6.*".
Amend the resolution on page 2, line 25, after "*the*" and inserting "*commission or*".
Amend the resolution on page 2, by deleting line 28 and inserting: "*effective 30 days after the commission takes action or the entry of the court's order embodying its action.*".
Assemblyman Stewart moved the adoption of the amendment.
Remarks by Assemblyman Stewart.
Amendment adopted.
Resolution ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS, AND NOTICES

Mr. Speaker announced that there will be a Joint Recess of the Senate and Assembly, Tuesday, April 19, 1983, 10:30 a.m., for the purpose of hearing Dr. Franklin Littell, founder and honorary Chairman of the National Institute of the Holocaust.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 225, 250, 267, 282, 312, 324, 330; Senate Concurrent Resolutions Nos. 27, 28; Assembly Resolutions Nos. 12, 13.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to members of United Methodist Women.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Elaine Thompson.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Loray Trowell and Jacquelyn Gray.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kay Cox, Helen Carter, Ruby Muir, Ruby Murrell, Corinne Nicholson, Eileen Burts, Rozella Keiser, Katie Gaines, Verna Shotto, Rosemary Peters, Lola Childs, Pat Gable, Shirley Lawrence, Coleen Hermance, Polly Page, Kathy Loori, Vivian Pickett, Laverna Marwin, Margaret Pursel, Florence Tamagni and Shirley Fielding.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Linda Roberts, Bobbe E. LeTourneau, Gerry Kelly, Mary Ann Condon, Virginia Payant, Helen Thiesen, Norma Navarret, Margo Espinosa, Carolyn Packard, Anne Hutchison and Charlotte Bush.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Stodieck, Richey and fourth grade students from Fritsch Elementary School, Carson City, Nevada: Patrick Bower, Keith Carpenter, Jeff Chomes, Danny Cypher, Shane Frawley, John Hanna, Ryan Hartman, T. J. Kangas, Danny Koozer, Eugene Newby, Herbie Rhea, Sean Sardella, Gina Crooks, Laurie Davis, Jennifer Elges, Christina Grimes, Kristen Henriksen, Elizabeth Muscott, Jody Pahovlis, Danielle Regas, Michelle Sack, Heather Stodieck, Kerrie Stumbo, Barbara Thomas, Jennifer Ward and Brandy Bahns.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, April 15, 1983, at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:26 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE EIGHTY-NINTH DAY

CARSON CITY (Friday), April 15, 1983

Assembly called to order at 10:32 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend William J. Helmstetter.

Heavenly Father, praise and honor and glory is due unto your Holy Name. After today these assemblymen will break for the weekend. Some will return to their families they haven't seen all week. Some will work all weekend. Some will get a much needed rest. Help them all to take a little time to think about you, and be with them all through the weekend. Bring them back next week. Help them to be refreshed and ready to go. I commit this assembly into your hands.
In Jesus' name,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 95, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 317, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 472, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and re-refer to the Committee on Ways and Means.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 280, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 417, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bill No. 81; Assembly Joint Resolution No. 24, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Joint Resolution No. 24 of the 61st Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 14, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 311.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 85, 221, 284, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 247, 309.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 179, 259, 268.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 35.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to concur in the Assembly amendments to Senate Bills Nos. 118, 168.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 518—An Act relating to the regulation of business; revising provisions governing the regulation of traveling merchants and peddlers; expanding those provisions to specify solicitors; lowering license fees for certain traveling merchants; providing exemptions from requirements for licensing; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 519—An Act relating to occupational safety and health; authorizing the administrator of the division of occupational safety and health to obtain a search warrant to inspect places of employment; establishing standards for those warrants; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 520—An Act relating to employees of local government; requiring nonmembers of an employee organization to pay a proportionate share of the costs of its negotiations with their local government employer; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 179.

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

Motion carried.

Assemblyman Coffin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 10:39 a.m.

ASSEMBLY IN SESSION

At 10:47 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 247.

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

Motion carried.

Senate Bill No. 259.

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

Motion carried.

Senate Bill No. 268.

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

Motion carried.

Senate Bill No. 309.

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

Motion carried.

By Assemblymen Fay and Kovacs:

Assembly Bill No. 521—An Act relating to gaming licenses; increasing the license fee to 5.75 percent of the gross revenue of the licensee; authorizing the state board of examiners to reduce the fee if the state general fund shows an adequate surplus; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 522—An Act relating to cities; making various changes in the law governing annexation by cities in certain counties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Elections:

Assembly Bill No. 523—An Act relating to elections; authorizing the consolidation of certain election precincts into single voting districts for particular elections; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 524—An Act relating to food establishments; limiting their regulation to those operated for profit; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblyman Beyer:

Assembly Bill No. 525—An Act relating to the property tax; authorizing the board of county commissioners to designate certain small amounts of delinquent taxes as uncollectible; absolving the county assessor and the county treasurer of liability for taxes so designated; eliminating a procedure for examining delinquent taxpayers in court for assets to pay the taxes; and providing other matters properly relating thereto.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 305, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 432 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Stone, Banner and Sader.

Assemblymen Stone, Brady and Bergevin requested a roll call on Assemblyman Stone's motion.

Roll call on Assemblyman Stone's motion:

YEAS—14.

NAYS—Banner, Berkley, Bogaert, Bourne, Bremner, Chaney, Coffin, Collins, Craddock, Dini, Fay, Francis, Ham, Jeffrey, Kerns, Kovacs, May, Nevin, Perry, Price, Sader, Schofield, Sedway, Stewart, Swain, Thomas, Thompson, Mr. Speaker—28.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

GENERAL FILE AND THIRD READING

Assembly Bill No. 173.

Bill read third time.

Remarks by Assemblyman Beyer.

Roll call on Assembly Bill No. 173:

YEAS—42.

NAYS—None.

Assembly Bill No. 173 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 242.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 242:

YEAS—37.

NAYS—None.

Not voting—Humke, May, Price, Redelsperger, Stewart—5.

Assembly Bill No. 242 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 333.

Bill read third time.

Remarks by Assemblymen Nevin, Thomas, Bogaert, Getto, Stone, Brady and Coffin.

Roll call on Assembly Bill No. 333:

YEAS—39.

NAYS—Bogaert, Stewart, Thomas—3.

Assembly Bill No. 333 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 343.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 343:

YEAS—41.
NAYS—Nicholas.

Assembly Bill No. 343 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 389.

Bill read third time.

Remarks by Assemblyman Ham.

Roll call on Assembly Bill No. 389:

YEAS—42.
NAYS—None.

Assembly Bill No. 389 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 432.

Bill read third time.

Remarks by Assemblymen Banner, Stone, Getto, Jeffrey and Thompson.

Roll call on Assembly Bill No. 432:

YEAS—39.
NAYS—Bilyeu, Getto, Stone—3.

Assembly Bill No. 432 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 433.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 433:

YEAS—42.
NAYS—None.

Assembly Bill No. 433 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 98.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Senate Bill No. 98:

YEAS—42.
NAYS—None.

Senate Bill No. 98 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 99.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Senate Bill No. 99:
YEAS—42.
NAYS—None.

Senate Bill No. 99 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Banner moved that Assembly Bill No. 278 be returned from enrollment.
Remarks by Assemblyman Banner.
Motion carried.
Assemblyman Banner moved that the vote whereby Assembly Bill No. 278 was passed be rescinded.
Motion carried.

Assemblyman Banner moved that Assembly Bill No. 472 be re-referred to the Committee on Ways and Means.
Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 15, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 353.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 353.
Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill declared an emergency measure under the Constitution and placed on third reading and final passage.
Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 278.
Bill read third time.
The following amendment was proposed by Assemblyman Banner:
Amendment No. 497.
Amend section 1, page 1, by deleting lines 8 and 9 and inserting:
"2. The insurer shall select a physician from a panel of physicians designated by the administrator, to determine the percentage of disability in".
Amend section 1, page 1, by deleting lines 12 through 14 and

inserting: "the date most recently specified by regulation of the department. The department may supplement this publication by adopting regulations for a supple-".

Amend section 1, page 2, lines 34 and 35, by deleting: "commission or the self-insured employer" and inserting "insurer".

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 353.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Senate Bill No. 353:

YEAS—42.

NAYS—None.

Senate Bill No. 353 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Joint Resolution No. 18 be re-referred to the Committee on Government Affairs.

Motion carried.

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

Assembly in recess at 11:35 a.m.

ASSEMBLY IN SESSION

At 11:36 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 299.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 311.

Amend section 1, page 1, line 4, by deleting "*county*" and inserting "*township*".

Amend section 1, page 1, line 5, by deleting "*100,000*" and inserting "*70,000*".

Amend section 1, page 1, by inserting between lines 6 and 7:

"*3. Subsection 2 does not apply to any person who held the office of justice of the peace on June 30, 1983.*".

Amend sec. 2, page 1, by deleting lines 12 through 15 and inserting:

"3. January 7, 1985, for all other purposes.".

Amend the title of the bill, second line, by deleting "counties;" and inserting "townships;".

Assemblyman Berkley moved the adoption of the amendment.

Remarks by Assemblyman Berkley.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 374.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 379.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 496.

Amend section 1, page 1, by deleting lines 3 through 5 and inserting:

"*1. A former commissioner shall not represent a client before the commission during the year following his termination of employment with the commission.*

2. No person who has served as a commissioner or employee of the commission may act as a representative, attorney or expert witness before the commission in connection with any proceeding which was pending before the commission on the date of the termination of his employment with the commission.".

Amend the title of the bill, first and second lines, by deleting: "the hiring of persons in certain positions for 1 year" and inserting: "certain acts by former commissioners and employees".

Amend the summary to read: "Prohibits certain acts by former commissioners and employees of public service commission.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 400.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 408.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 421.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 80.

Bill read second time and ordered to third reading.

Senate Bill No. 193.

Bill read second time and ordered to third reading.

Senate Bill No. 222.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 400 be placed on the Chief Clerk's desk.

Remarks by Assemblyman Dini.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 236.

The following Senate amendment was read:

Amendment No. 374.

Amend section 1, page 1, line 2, by deleting "[moneys] *money*" and inserting "money".

Amend section 1, page 1, line 3, by deleting "[shall] *must*" and inserting "must".

Amend section 1, page 1, line 5, by deleting "[shall] *must*" and inserting "must".

Amend section 1, page 1, by deleting line 7 and inserting:

"3. The *money in the* fund must be available".

Amend section 1, page 1, by deleting line 12 and inserting: ", [or] any incorporated city *or any airport*".

Amend section 1, page 1, by deleting line 15 and inserting: "The *money in the* fund must not be used for ".

Amend section 1, page 1, line 18, by deleting "[moneys] *the money*" and inserting "*the* money".

Amend section 1, page 1, line 19, by deleting "[shall] *must*" and inserting "must".

Amend section 1, page 1, line 20, by deleting "[such] *the*" and inserting "the".

Amend section 1, page 2, by deleting lines 2 and 3 and inserting: "landing area within the county, all *of the* money in the fund must be allocated to [such] *the* incorporated city.".

Amend section 1, page 2, by deleting lines 6 and 7 and inserting: "any airport or landing area, all *of the* money in the fund must be apportioned among [such] *those* incorporated cities".

Amend section 1, page 2, line 11, by deleting "[moneys] *money*" and inserting "money".

Amend section 1, page 2, line 12, by deleting: "[such] *the* fund [shall] *must*" and inserting "the fund must".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 236.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 284.

The following Senate amendment was read:

Amendment No. 442.

Amend section 1, page 1, by deleting line 3 and inserting: "a regular meeting at least once each [month,] *quarter,*".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 284.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Assembly Bill No. 211 be taken from the Chief Clerk's desk and re-referred to the Committee on Elections.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 221.

The following Senate amendment was read:

Amendment No. 471.

Amend section 1, page 1, line 9, by deleting "*15*" and inserting "*10*".

Amend sec. 2, page 2, line 34, by deleting "*15*" and inserting "*10*".

Amend sec. 3, page 3, line 3, by deleting "*15*" and inserting "*10*".

Amend sec. 4, page 4, line 1, by deleting "*15*" and inserting "*10*".

Amend sec. 6, page 4, line 21, by deleting "*15*" and inserting "*10*".

Amend sec. 7, page 5, line 24, by deleting "*15*" and inserting "*10*".

Amend sec. 8, page 6, line 21, by deleting "*15*" and inserting "*10*".

Amend sec. 9, page 7, line 15, by deleting "*15*" and inserting "*10*".

Amend sec. 10, page 8, line 9, by deleting "*15*" and inserting "*10*".

Amend sec. 11, page 9, line 8, by deleting "*15*" and inserting "*10*".

Amend sec. 12, page 10, line 7, by deleting "*15*" and inserting "*10*".

Amend sec. 13, page 11, line 5, by deleting "*15*" and inserting "*10*".

Amend sec. 14, page 12, line 7, by deleting "*15*" and inserting "*10*".

Amend sec. 15, page 13, line 2, by deleting "*15*" and inserting "*10*".

Amend sec. 16, page 13, line 44, by deleting "*15*" and inserting "*10*".

Amend sec. 17, page 14, line 38, by deleting "*15*" and inserting "*10*".

Amend sec. 18, page 15, line 39, by deleting "*15*" and inserting "*10*".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 221.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 228, 287; Senate Bills Nos. 35, 216, 235.

REMARKS FROM THE FLOOR

Assemblyman Nicholas requested that his remarks be entered in the Journal:

Ginger Shure is a lady who lives in Incline Village and we who live there are very proud, of her. Why you might ask? Well, after being out of school since 1950 she decided more than anything she wanted her high school diploma. Because of commitments to her home and to her husband (29 years tomorrow) she couldn't go to night school, so she asked the principal at Incline High School if she could take classes during the day and graduate with the class of 1982. Much to her joy he said she could, so the following day she entered the world of the teenager.

She had a full day of classes, and worked hard and on June 10th walked tall and proud across the stage at the high school to receive her coveted diploma, to the cheers of friends and family and practically the whole town. She has come away with a better understanding of the teenager and their problems and feels that just once, every parent of a teenager should enter this realm of their life and they, too, would understand that to be a young person today is not easy.

Going back to school is only one of a few spirited things this lady has done. In 1977 she and her family went to Israel and lived on a Kibbutz in the North; at times were under fire of the PLO guerrillas.

Ginger wants to go on to college in the future: for in her future she intends to return to Israel and work and live there as she once did.

Doing things like she has and intends to do is no surprise because those of us who know this lady know she is an example that when one has a goal, you must do what you can to achieve it. Age shouldn't be a factor.

Ginger knows that without an education one is lost. Because only through education can there ever be peace and understanding in the world.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Barbara Deavers and Miss Gina Dingacci.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jacqueline Nehleen and Ginger Shure.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Anne Bourn and Pat Bourn.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, April 18, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:54 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINTY-SECOND DAY

CARSON CITY (Monday), April 18, 1983

Assembly called to order at 11:00 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Robert Wood.

Lord, our God, we give you praise for the bounty of this state which you have given to us. We stand in awe of its natural beauty and are blessed by its natural resources. We are grateful, too, for the people of Nevada; for their varied backgrounds and diverse beliefs. They are our people and we would be faithful and diligent in our service to them. We lift before you these men and women who have been elected to the task of governing our state with its resources and people. Grant to them clear minds and sound decisions as they work this day to carry out the trust placed in them. May there be a unity of purpose present; if not, a unity of means. Finally, Father, we would turn with our nation to our embassy in Beirut. We would pray for healing for those who are wounded; for your care and comfort for those who have lost friends and loved ones. May your spirit be present in a special way to bring about your peace. This we pray in thy Son's name.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 469, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 429, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Zimmer moved that Assembly Bill No. 469 be placed on the Second Reading File.

Remarks by Assemblyman Zimmer.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 15, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this

day passed, as amended, Assembly Bills Nos. 195, 251, 255, 329, 358, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 294, 303, 305.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 210, 251.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 61, 195.

MAE LOFTHOUSE
Assistant Secretary of the Senate

Assemblyman Coffin moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:05 a.m.

ASSEMBLY IN SESSION

At 11:09 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Banner (by request):

Assembly Bill No. 526—An Act relating to eminent domain; providing a method of calculating compensation for the acquisition of certain property for the construction, alteration or improvement of limited-access highways; providing compensation to owners of certain property impaired by that construction, alteration or improvement; making other various changes to the law of eminent domain; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Concurrent Committees on Transportation and Government Affairs.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 527—An Act relating to the department of industrial relations; directing the allowance of a credit against assessments for its support equal to an amount initially transferred from the state insurance fund, plus interest; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblyman Thomas:

Assembly Bill No. 528—An Act relating to the casino entertainment tax; allocating part of the tax for concerts and other cultural activities under the administration of the Nevada state council on the arts; creating a fund; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 529—An Act relating to insurance; revising the provisions of law on standard valuations and the prevention of forfeitures under certain policies; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 210.

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

Motion carried.

Senate Bill No. 251.

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

Motion carried.

Senate Bill No. 294.

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

Motion carried.

Senate Bill No. 303.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 305.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 283, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

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

Assembly in recess at 11:17 a.m.

ASSEMBLY IN SESSION

At 11:32 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 307, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 443, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Redelsperger, Bilyeu, Thompson, Nicholas, Jeffrey, Dini, Getto, Brady, Banner and Marvel:

Assembly Joint Resolution No. 29—Requesting the continued cooperation of the Bureau of Land Management and that of other agencies of the Federal Government in water matters and requesting the state engineer to consider issuing temporary permits for water rights appurtenant to federal lands.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 305.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 492.

Amend sec. 5, page 3, by deleting lines 6 through 15 and inserting:

"Sec. 5. NRS 502.245 is hereby amended to read as follows:

502.245 [For a fee of $2 the] *1. The* department shall issue any hunting or fishing license *or combined hunting and fishing license* authorized under the provisions of this chapter, upon proof satisfactory of the requisite facts [,] *and payment of the applicable fee,* to any person who, as of the date of his application for a license has resided in this state for the 6-month period immediately preceding and:

[1.] *(a)* Is 65 years of age or older; or

[2.] *(b)* Has a severe physical handicap as defined in the regulations of the commission.

2. The department shall charge and collect for such a:

Hunting license	$2
Fishing license	2
Combined hunting and fishing license	4".

Amend sec. 7, page 3, by deleting line 31 and inserting: "under the age of 21 unless he presents".

Amend sec. 7, page 3, line 34, by deleting the bracket.

Amend sec. 7, page 3, line 36, by deleting the bracket.

Amend sec. 7, page 3, line 37, by deleting "[(c)] *(b)*" and inserting "(c)".

Amend sec. 7, page 3, line 38, after "*hunters*" by inserting: "*approved by the commission*".

Amend sec. 7, page 3, line 41, by deleting the bracket.

Amend sec. 7, page 3, line 44, by deleting the bracket.

Amend the bill as a whole by deleting section 11, renumbering section 12 as section 11 and adding a new section, designated section 12, following 12, to read as follows:

"Sec. 12. NRS 503.290 is hereby amended to read as follows:

503.290 1. Except as *otherwise* provided in subsection 2, it is unlawful for any person to fish in or from any of the waters of the State of Nevada for any fish of any species [whatever] in any manner other than with hook and line attached to a rod or reel closely attended in the manner known as angling. Only one combination of hook, line and rod [shall] *must* be used by one person at any time.

2. [Unprotected fish may be taken by methods authorized by commission regulation.] *The commission may by regulation authorize other methods for taking fish.* Frogs may be taken by spear, bow and arrow, hook and line or by other methods authorized by [commission] *the commission's* regulation.

3. [As used in this section, the word "hook" shall be deemed to include] *For the purposes of this section, "hook" includes* not more than three baited hooks, [nor] *not* more than three fly hooks [,] or not more than two plugs or similar lures. No more than two such plugs or lures, irrespective of the number of hooks or attractor blades attached thereto, [shall] *may* be attached to the line.".

Amend sec. 15, page 5, line 39, by deleting "*trapping*" and inserting: "*trap, gun or bow and arrow*".

Amend the title of the bill to read:

"An Act relating to wildlife; expanding the power of game wardens; authorizing the establishment of a separate price for expired duck stamps; expanding the requirements for courses in safety for hunters; and providing other matters properly relating thereto.".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 317.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 327.

Amend sec. 2, page 1, by deleting line 18 and inserting:

"2. *A common motor carrier who enters into an agreement for the purchase of its service by*".

Amend sec. 2, page 2, line 3, after "*public.*" by inserting: "*Under*

such an agreement the public entity shall establish the routes and fares and provide for any required safety inspections.''.

Amend sec. 3, page 2, by deleting line 10 and inserting: ''*vision of a system of public transit.*''.

Assemblyman Coffin moved the adoption of the amendment.

Remarks by Assemblyman Coffin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 417.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 24.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 81.

Bill read second time and ordered to third reading.

Senate Bill No. 95.

Bill read second time and ordered to third reading.

Assembly Bill No. 469.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 508.

Amend sec. 4, page 3, line 8, by deleting ''January 1, 1985.'' and inserting ''July 1, 1983.''.

Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblyman Zimmer.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Banner moved that Assembly Bill No. 278 be placed at the top of the General File.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Thompson, Banner and Jeffrey:

Assembly Bill No. 530—An Act relating to apprentices; changing provisions governing indentures with respect to the maximum number of hours of employment in a period of probation and the hours of related instruction; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 278.

Bill read third time.

Remarks by Assemblyman Banner.
Roll call on Assembly Bill No. 278:

YEAS—41.
NAYS—None.
Not voting—Bilyeu.

Assembly Bill No. 278 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assemblyman Banner moved that all rules be suspended and that Assembly Bill No. 278 be immediately transmitted to the Senate.

Motion carrried unanimously.

Assembly Bill No. 161.
Bill read third time.
Remarks by Assemblymen Francis, Dini and Banner.
Roll call on Assembly Bill No. 161:

YEAS—42.
NAYS—None.

Assembly Bill No. 161 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 174.
Bill read third time.
Remarks by Assemblymen Craddock and Collins.
Roll call on Assembly Bill No. 174:

YEAS—41.
NAYS—None.
Not voting—Collins.

Assembly Bill No. 174 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 275.
Bill read third time.
Remarks by Assemblyman Malone.
Roll call on Assembly Bill No. 275:

YEAS—42.
NAYS—None.

Assembly Bill No. 275 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 280.
Bill read third time.
Remarks by Assemblymen Thomas, Bogaert, Dini, Nevin and Jeffrey.

Roll call on Assembly Bill No. 280:

YEAS—36.

NAYS—Bogaert, Bourne, Brady, Francis, Stewart, Stone—6.

Assembly Bill No. 280 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 291.

Bill read third time.

Remarks by Assemblymen Redelsperger and Schofield.

Roll call on Assembly Bill No. 291:

YEAS—42.

NAYS—None.

Assembly Bill No. 291 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 320.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 320:

YEAS—41.

NAYS—Berkley.

Assembly Bill No. 320 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 374.

Bill read third time.

Remarks by Assemblyman Berkley.

Roll call on Assembly Bill No. 374:

YEAS—42.

NAYS—None.

Assembly Bill No. 374 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 408.

Bill read third time.

Remarks by Assemblyman Ham.

Roll call on Assembly Bill No. 408:

YEAS—42.

NAYS—None.

Assembly Bill No. 408 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 421.

Bill read third time.

Remarks by Assemblyman Kerns.
Roll call on Assembly Bill No. 421:
YEAS—42.
NAYS—None.

Assembly Bill No. 421 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 16.
Resolution read third time.
Remarks by Assemblyman Stewart.
Roll call on Assembly Joint Resolution No. 16:
YEAS—41.
NAYS—None.
Not voting—May.

Assembly Joint Resolution No. 16 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 24 of the 61st Session.
Resolution read third time.
Remarks by Assemblymen Berkley and Bogaert.
Roll call on Assembly Joint Resolution No. 24 of the 61st Session:
YEAS—42.
NAYS—None.

Assembly Joint Resolution No. 24 of the 61st Session having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Senate Bill No. 80.
Bill read third time.
Remarks by Assemblymen Thomas and Kerns.
Roll call on Senate Bill No. 80:
YEAS—41.
NAYS—None.
Not voting—Sader.

Senate Bill No. 80 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 193.
Bill read third time.
Remarks by Assemblyman Collins.
Roll call on Senate Bill No. 193:
YEAS—42.
NAYS—None.

Senate Bill No. 193 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 222.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 222:

YEAS—42.

NAYS—None.

Senate Bill No. 222 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 46.

The following Senate amendment was read:

Amendment No. 244.

Amend section 1, page 1, line 5, after "same" by inserting "*or another*".

Amend the title of the bill, first line, after "courts;" by inserting: "authorizing a justice of the peace in a county with more than one justice of the peace to provide for a substitute from another county;".

Amend the summary of the bill by deleting the first line and inserting: "Makes various changes to provisions for justices".

Assemblyman Stewart moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 46.

Remarks by Assemblyman Stewart.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 189.

The following Senate amendment was read:

Amendment No. 416.

Amend the bill as a whole by renumbering section 1 as section 8 and adding new sections designated sections 1 through 7, preceding section 1, to read as follows:

"Section 1. Chapter 200 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

Sec. 2. *As used in NRS 200.509 and sections 2 to 7, inclusive, of this act, unless the context otherwise provides:*

1. "Performance" means any play, film, photograph, dance or other visual presentation.

2. "Promote" means to produce, direct, procure, manufacture, sell, give, lend, publish, distribute, exhibit, advertise or possess for the purpose of distribution.

3. "Sexual conduct" means sexual intercourse, lewd exhibition of the genitals, fellatio, cunnilingus, bestiality, anal intercourse, excretion, sado-masochistic abuse, masturbation, or the penetration of any part of a person's body or of any object manipulated or inserted by a person into the genital or anal opening of the body of another.

Sec. 3. *A person, firm, association or corporation who knowingly:*

1. Promotes a performance of a minor; or

2. As the parent, guardian or other legal custodian of a minor permits him to participate in a performance,

where he engages in or simulates, or assists others to engage in or simulate, sexual conduct shall be punished as provided in section 6 of this act.

Sec. 4. *A person, firm, association or corporation who knowingly and willfully has in his possession any film, photograph or other visual presentation depicting a minor engaging in or simulating, or assisting others to engage in or simulate, sexual conduct is guilty of a misdemeanor.*

Sec. 5. *For the purposes of NRS 200.509 and sections 3 and 4 of this act, to determine whether a person was a minor, the court or jury may:*

1. Inspect the person in question;

2. View the performance;

3. Consider the opinion of a witness to the performance regarding the person's age;

4. Consider the opinion of a medical expert who viewed the performance; or

5. Use any other method authorized by the rules of evidence at common law.

Sec. 6. *Each person punishable pursuant to NRS 200.509 or section 3 of this act shall be punished:*

1. By imprisonment in the state prison for:

(a) Life, with the possibility of parole beginning when at least 5 years have been served; or

(b) Any definite term of at least 5 years, with eligibility for parole beginning when at least 5 years have been served; and

2. By a fine of not more than $100,000.

Sec. 7. *1. All assets derived from or relating to any violation of NRS 200.509 or section 3 or 4 of this act are subject to forfeiture upon the conviction of any person pursuant thereto. A proceeding for their forfeiture may be brought and maintained in any court where jurisdiction over the money or property to be forfeited can be obtained.*

2. Any money recovered from a forfeiture of assets pursuant to subsection 1 must be deposited in the fund for the compensation of victims of crime to be used for the counseling and medical treatment of victims of crimes committed in violation of NRS 200.509 or section 3 or 4 of this act.''.

Amend section 1, page 1, line 2, by deleting ''*1.*''.

Amend section 1, page 1, line 14, by deleting ''*2*'' and inserting ''*6*''.

Amend section 1, pages 1 and 2, by deleting line 15 on page 1 and lines 1 through 23 on page 2.

Amend the bill as a whole by deleting section 2, and adding new sections designated sections 9 through 14, following section 1, to read as follows:

''Sec. 9. NRS 217.050 is hereby amended to read as follows:

217.050 ''Personal injury'' means [actual] *:*

1. Actual bodily harm or threat of bodily harm which results in a need for medical treatment [.] *; or*

2. In the case of a minor who was involved in the production of pornography in violation of NRS 200.509 or section 3 or 4 of this act, any harm which results in a need for medical treatment or any psychological or psychiatric counseling, or both.''.

Sec. 10. NRS 217.070 is hereby amended to read as follows:

217.070 ''Victim'' means [a] *:*

1. A person who is physically injured or killed as the direct result of a criminal act [.] *; or*

2. A minor who was involved in the production of pornography in violation of NRS 200.509 or section 3 or 4 of this act.

Sec. 11. NRS 217.200 is hereby amended to read as follows:

217.200 1. The hearing officer may order the payment of compensation and the award of a governor's certificate for meritorious citizen's service to a victim as defined in NRS 217.070 for:

(a) Medical expenses, and nonmedical remedial care and treatment rendered in accordance with a religious method of healing, actually and reasonably incurred as a result of the personal injury or death of the victim;

(b) Loss of earnings or support not to exceed $150 per week and reasonably incurred as a result of the total or partial incapacity of the victim;

(c) Pecuniary loss to the dependents of a deceased victim;

(d) Funeral expenses, not in excess of $1,000, which are actually and reasonably incurred as a result of the death of the victim; and

(e) Any other loss which results from the personal injury or death of the victim and which the hearing officer determines to be reasonable.

2. An award of compensation may be made subject to such terms and conditions as the hearing officer considers necessary or advisable with respect to payment, disposition, allotment or apportionment of the award.

3. No award may be made for less than $100 or for more than $5,000 [.] *except in the case of a minor who was involved in the production of pornography.*

Sec. 12. NRS 217.220 is hereby amended to read as follows:

217.220 1. [Compensation] *Except as otherwise provided in subsection 2, compensation* must not be awarded if the victim:

(a) Is a relative of the offender;

(b) Was, at the time of the personal injury or death of the victim, living with the offender in a continuing relationship;

(c) Violated a penal law of this state, which caused or contributed to his injuries or death;

(d) Was injured or killed as a result of the operation of a motor vehicle, boat or airplane unless such vehicle, boat or airplane was used as a weapon in a deliberate attempt to harm the victim;

(e) Was not a resident of the State of Nevada at the time the incident upon which the claim is based occurred; or

(f) Was a coconspirator, codefendant or accomplice of the offender whose crime caused the victim's injuries.

2. *The provisions of subsection 1 do not apply to a minor who was involved in the production of pornography in violation of NRS 200.509 or section 3 or 4 of this act.*

3. The hearing officer may deny an award if he determines that the claimant will not suffer serious financial hardship.

Sec. 13. NRS 217.260 is hereby amended to read as follows:

217.260 1. Money for payment of compensation as ordered by the board must be paid from the fund for the compensation of victims of crime, which is hereby created. Money in the fund must be disbursed on the order of the board in the same manner as other claims against the state are paid.

2. *Money deposited in the fund which is recovered from a forfeiture of assets pursuant to section 7 of this act must be used for the counseling and medical treatment of minors who are involved in the production of pornography in violation of NRS 200.509 or section 3 or 4 of this act.*

3. If on June 30 of any year the fund contains more than $250,000, *excluding any money deposited which is recovered from a forfeiture of assets pursuant to section 7 of this act,* the state treasurer shall distribute the excess to the counties in the same proportion that the money which each county paid to the fund bears to the amount paid to the fund by all counties. The distribution must be made on or before July 31, and the money must be deposited in the general fund of each county.

Sec. 14. This act shall become effective upon passage and approval.''.

Amend the title of the bill to read:

''An Act relating to pornography; providing additional penalties and forfeiture for the involvement of minors therein; providing a penalty for the possession of pornographic material involving a minor; and providing other matters properly relating thereto.''.

Amend the summary of the bill to read as follows: ''Extends prohibitions against using minors in production of pornography.''.

Assemblyman Stewart moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 189.

Motion carried.

Bill ordered transmitted to the Senate.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stewart moved that the Assembly do not recede from its action on Senate Bill No. 118, that a conference be requested, and that Mr. Speaker appoint a first Committee on Conference consisting of three members to meet with a like committee of the Senate.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Malone, Berkley and Nevin as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 118.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 85.

The following Senate amendment was read:

Amendment No. 434.

Amend section 1, page 1, by deleting lines 16 and 17 and inserting: "*(g) Administer a local anesthetic.*".

Amend sec. 4, page 3, by deleting line 15 and inserting: "*100 hours of practical experience under the direction of a licensed podiatrist.*".

Amend sec. 4, page 3, by deleting lines 22 and 23.

Amend sec. 4, page 3, line 24, by deleting "*4.*" and inserting "*3.*".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 85.

Remarks by Assemblymen Jeffrey and Sedway.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 329.

The following Senate amendment was read:

Amendment No. 438.

Amend sec. 2, page 2, line 3, by deleting "*banks*" and inserting "*financial institutions*".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 329.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 255.

The following Senate amendment was read:

Amendment No. 445.

Amend sec. 7, page 4, line 25, by deleting "*allowed.*" and inserting: "*allowed, unless the employer has applied for and been granted an extension of that time by the manager.*".

Assemblyman Banner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 255.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 221, 236, 284, 311; Senate Bills Nos. 61, 195.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Christian E. Dalin.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to high school students from Lincoln County High School, Panaca, Nevada, and Miss Kathryn Redelsperger.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, April 19, 1983, at 10:25 a.m.

Motion carried.

Assembly adjourned at 12:31 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-THIRD DAY

CARSON CITY (Tuesday), April 19, 1983

Assembly called to order at 10:30 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, Rabbi Paul Tuchman.

Our Lord, and Father, we have set this day apart as Holocaust Memorial Day, to remember 6 million Jews who were systematically murdered because of prejudice and blind allegiance to a tyrant.

The death of a third of the people continues to shock us, though almost 40 years have passed since the full horror was revealed. We remember, also, the 5 million non-Jews who perished in those same death camps. Victims of similar prejudices and mindlessness. The statistics and documents convince the mind, but the imagination falters and becomes numb. We understand, Lord, that the holocaust happened to all of us, non-Jew and Jew alike. We are all survivors. We, and our children. And we share a terrible knowledge.

We know that the mass killing of selective groups has been successfully tested. We have looked into the human soul and found a monster loosely chained. We have witnessed the effects of prejudicial hatred combined with technology and we realize that such a deadly combination has been deployed against hundreds of millions—ourselves included.

Today, Lord, our thoughts turn also in another direction as we remember those all too few in number who resisted evil in the holocaust years. Whether they used guns and grenades, hid the potential victims, operated printing presses or merely had the will to survive, their heroism lifts us up. We have looked into the human soul again, and found beauty, strength and a reason to hope.

Imbue us, Father, with moral and intellectual courage equal to their heroic deeds. Arouse us to resist oppression and prejudice in every form and to rout them, first of all, out of ourselves. Help us to remember, to grieve and to wonder—and with these memories, Lord of Life, help us toward salvation for ourselves and for all humankind, bless all those who are striving for these goals and let us say,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

Mr. Speaker announced that if there were no objections, the Assembly would recess subject to the call of the Chair for a Joint Recess of the Senate and Assembly for the purpose of hearing Dr. Franklin Littell, founder and honorary Chairman of the National Institute of the Holocaust.

Assembly in recess at 10:35 a.m.

ASSEMBLY IN SESSION

At 11:26 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

REMARKS FROM THE FLOOR

Assemblyman Jeffrey requested that the following remarks be entered in the Journal:

SENATOR HERNSTADT:

Some 64 years ago a political activist named Adolph Hitler started speaking anti-Semitic thoughts and words. Sixty years ago he published the first part of Mein Kampf. Fifty years ago he became Chancellor of Germany and 38 years ago the world began to see newsreels depicting the opening of the death camps. Those of you who are old enough, I am sure, remember them as I did as a small boy. It is with great pleasure that I introduce to you today Dr. Franklin Littell. Dr. Littell is a Methodist minister, a professor of religion at Temple University in Philadelphia and corresponding faculty member of Hebrew University in Jerusalem. He is a member, by presidential appointment, of the U.S. Holocaust Memorial Council and of the International Council of Y'ad Vechem, which is the Holocaust museum in Jerusalem. From 1948 to 1958 he was an officer in the American Occupation Forces in postwar Germany. And in 1959 he received the Great Cross of Merit from the German government for his work in furthering American-German reconciliation. He is the author of some 275 major articles and 20 books. It is with great pleasure that I introduce to you, Dr. Littell.

DR. FRANKLIN LITTELL:

Lieutenant Governor, Senator Hernstadt, thank you very much for the privilege of this position. Ladies and gentlemen, I count it a great honor which will remain unforgettable to be in this company. I hope that you all know that there are parts of Nevada which have been eminent in the Nation in preparing for the teaching of the Holocaust and the lessons of the Holocaust in the schools. You have in the University of Nevada, Reno and Las Vegas, two of our most prized colleagues in research and writing in this field.

Today, April 19th in the common calendar, is exactly 40 years from the day which was the day after the first seder, when young heroes in the Warsaw Ghetto launched their fight against crack SS troops. Mordecai Anielewicz was 22 years old when he died. And most of those who took up the standard of resistance were teenagers. We yield to these young heroes as we remember the Hungarian Freedom Fighters who, from October 26th to November 7th, 1956, tried to free their men from another tyrant. And it does those of us who have aged well to remember how, on those occasions and in other places too, the American forces, the liberators of the camps, those who made us aware of what had happened. Our young men and young women carried the major burden. The first two tanks that entered the Ghetto were destroyed by small arms fire and Molotov cocktails handled by youngsters. The resistance lasted for six weeks—longer than the whole French army resisted the German forces.

The Freedom Fighters, in the name of those who perished, tell us "Do not forget." To remember is to have faith. We need to remember the terrible costs of bigotry and persecution and then genocide in the twentieth century. We need to remember that this terrible century of killing was opened with the slaughter of 60 percent of the oldest christianized people on the face of the earth, namely, the Armenian people. A few years ago we had a conference memorializing the sixtieth year of the Armenian genocide, and Archbishop Manoogian, of the Armenian Church of America, in a very moving address told us how the world was indifferent when his people came under the axe of the last weeks of the declaiming Holy Muslim Empire. And because the world was indifferent, that indifference to mass suffering and mass murder swelled until it reached this terrible thing which we remember as the Jewish Holocaust. I was very proud, as a Christian clergyman, to hear Archbishop Manoogian say that. He didn't say, "Why do you worry about the Jews, think about my people." He related, as all of us must, Protestants and Catholics and people of conscience and other faith communities, his own experience and the experience of his own people in a fraternal and understanding way, to the tragedy which came upon the Jewish people in the Nazi Holocaust.

Now there were, in those years, lights shining in the midst of the darkness. There were people who fought back as heroes. There was spiritual resistance. Perhaps the most moving thing that happened was the testimony to humanness; to sheer humanity on the part of people who were suffering incredibly. I think of Dr. William Ringelblum, an historian, who recorded daily. He was determined that the world should know what had happened in the destruction of the Warsaw Ghetto. His papers did survive and have been

published in translation. He wrote, "Let it be said that though we have been sentenced to death and know it, we have not lost our human features." When I read that, it reminded me of a testimony by Joop Westerweel, who was a Dutch Christian and who was arrested by the German occupation and finally put to death. He was arrested for helping Jews. He wrote in his last letter to his wife, "Anybody who takes part in the persecution of the Jews, whether voluntarily or against his will, is looking for an excuse for himself. Some cannot give up a business deal. Others are doing it for the sake of their families. The Jewish professors must disappear without protest for the sake of the university. But I will go through these difficult days without breaking. In the end, my fate will be decided, and I shall go like a man."

Last year the winner of the award given by the President of the German Federal Republic each year to an outstanding citizen who has furthered Christian-Jewish relations, went to an elderly lady named Helene Jacobs. And the newspaper people said to her, asking "Why did you do this?" She had saved dozens of Jewish lives in the midst of the killing roundups. And her answer was very simple. She said, "For self respect. For self respect."

There is a wonderful yiddish word, mentschlekaydt—humanness. And whatever our religious differences may be, and they are not unimportant, out of the Holocaust we are reminded of the importance of humanness, of the human measure.

There is one other important lesson which I want to recommend to you in your study and in your leadership of this great State. That is the study of terrorism, of movements that are a threat to the republic and to the privacy and the liberties of loyal citizens. We haven't taken seriously enough the truth that the German Nazi Party was a terrorist movement before it ever became a criminal government capable of genocide. Most people, busy, educated people, church people, laughed off the Nazi bullyboys when they were first starting. The New York Times had a famous article in which they referred to them as "A rowdy bunch of boy scouts." Today we know that you cannot take this problem lightly. Not the KKK, not the American Nazis, not any of the others who threaten the republic if they ever should get power and who threaten the liberties and the privacy of loyal citizens. We need to understand the importance of developing an early warning system on those who are potentially genocidal in their political and ideological programs. Ingmar Bergman has a wonderful film called The Serpent's Egg. He explains the meaning of the film. The Serpent's Egg is one where the membrane is so thin that inside it you can already see the perfectly formed reptile.

We have recently, in New Jersey and Pennsylvania, passed laws making ethnic intimidation a crime. I am not trying to tell you your business. I am simply trying to say that the problem, which is put to us by those who are disloyal to the republic, and in their desires to undo it, attack religious, ethnic and racial minorities, need to be treated more seriously now that we understand what can happen with a party like the Nazi Party.

Finally, we just had a week ago the great American gathering of survivors, over 10,000 new Americans. And there were two great addresses, if I had my pick. One of them was by the President of the United States on that occasion which brought in his address several times, a congregation of 19,000 to their feet. I remember how, facing the survivors, he said, "I promise you that the security of your safe havens, America and Israel, will never be compromised." The other address was by Ben Meed, President of the American gathering, and one of the 12 or 13 youngsters who survived, miraculously, the Warsaw Ghetto uprising. He was one of the outside men with Aryan papers, smuggling food, medical supplies and guns. He lived to introduce, with pride, the President of the United States. The tears came on him as he said to the President how much he felt gratitude in his people for the second chance which they have been given in the land of liberty and self-government after coming through the fiery furnace. They presented to the President a Scroll of Remembrance signed by over 50,000 survivors, children and grandchildren of survivors, their gratitude to the American people.

One of our great leaders referred to America as the last, best hope of man on earth. I think, myself, of America as a place where Jews and Catholics and Protestants, Methodists and Mormons, Blacks and Chicanos and WASPS are practicing a new understanding of what good Pope John the 23rd emphasized as the liberty and the dignity and the integrity of the human person. I know you are thankful, as I am, to be an American, and to be able to stand as a person of face, whether Jew or Catholic or Protestant or other, unafraid, knowing that my rights as a citizen are in no way jeopardized by facing

my neighbors with the open face of truce or by cooperating with them where we can cooperate. For we are, thank God, Americans all.

Thank you.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Economic Development, Tourism and Mining, to which were referred Senate Bill No. 269; Assembly Joint Resolution No. 25, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT E. PRICE, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 265, 326, 365, 376, 402, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 86, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 375, 399, 424; Senate Bill No. 127, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 204, 219, 244, 267, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 409, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 218, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Taxation.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 18, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 242, 278.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 105, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 299.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 27, 183.

MAE LOFTHOUSE
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, April 19, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 30.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Zimmer moved that Assembly Bill No. 469 be placed at the top of the General File.

Motion carried.

Senate Concurrent Resolution No. 30.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Jeffrey.

Resolution adopted unanimously.

Assemblyman Vergiels moved that Assembly Bill No. 57 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

Assemblyman Stewart moved that Senate Bill No. 174 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 283 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Bremner moved that Assembly Bill No. 443 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bremner.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which were referred Assembly Bill No. 509; Senate Bill No. 253, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 531—An Act incorporating the City of Las Vegas in Clark County, Nevada, under a new charter; defining the boundaries thereof; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Malone:

Assembly Bill No. 532—An Act relating to the public employees' retirement system; providing temporary loans for the construction of

housing for elderly persons; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 27.

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

Motion carried.

Senate Bill No. 183.

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

Motion carried.

Senate Bill No. 299.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Bill No. 184, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and re-refer to the Committee on Ways and Means.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Senate Bill No. 184 be re-referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 307.

Bill read second time.

The following amendment was proposed by Assemblyman Swain:

Amendment No. 512.

Amend section 1, page 1, by deleting lines 4 through 9 and inserting: "*transporting a child under 5 years of age in:*

(a) The front seat of a motor vehicle registered in this state shall secure him in a device for restraining a child which has been approved by the United States Department of Transportation.

(b) The rear seat of a motor vehicle registered in this state shall".

Amend section 1, page 1, by deleting line 14 and inserting: "*the person presents to the court specified in the*".

Amend section 1, page 1, line 16, by deleting "*agency*" and inserting "*court*".

Amend section 1, page 2, line 1, after "*is*" by inserting "*not*".

Amend section 1, page 2, after line 14 by inserting:

"*(c) To a person who is transporting a child if:*

(1) All seating positions in the motor vehicle which are equipped with safety belts are occupied by other passengers using the safety belts;

(2) Preference for the use of the safety belts is given to children under 4 years of age; and

(3) All unrestrained children under 5 years of age are in the rear seat of the motor vehicle.''.

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblymen Swain, Bogaert and Getto.

Amendment adopted.

Assemblyman Nevin moved that Assembly Bill No. 307 be re-referred to the Committee on Transportation.

Motion carried.

Bill ordered reprinted and engrossed.

Assemblyman Nevin moved that the Assembly recess subject to the call of the Chair.

Motion carried

Assembly in recess at 11:42 a.m.

ASSEMBLY IN SESSION

At 11:44 a.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 429.

Bill read second time, ordered engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 57.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 57:

YEAS—42.

NAYS—None.

Assembly Bill No. 57 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 469.

Bill read third time.

Remarks by Assemblyman Zimmer.

Roll call on Assembly Bill No. 469:

YEAS—42.

NAYS—None.

Assembly Bill No. 469 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assemblyman Zimmer moved that all rules be suspended and that Assembly Bill No. 469 be immediately transmitted to the Senate.

Motion carried unanimously.

Assembly Bill No. 299.

Bill read third time.

The following amendment was proposed by Assemblyman Price:

Amendment No. 537.

Amend section 1, page 1, line 5, by deleting *"70,000"* and inserting *"100,000"*.

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblymen Price, Berkley, Bourne, Stewart and Thompson.

Assemblymen Stewart, Nevin and Stone requested a roll call on Assemblyman Price's motion.

Roll call on Assemblyman Price's motion:

YEAS—20.

NAYS—Banner, Berkley, Bilyeu, Brady, Bremner, Coffin, DuBois, Francis, Ham, Humke, Joerg, Malone, May, Nevin, Nicholas, Sader, Stewart, Stone, Swain, Thomas, Zimmer, Mr. Speaker—22.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

Remarks by Assemblyman Berkley.

Roll call on Assembly Bill No. 299:

YEAS—22.

NAYS—Bergevin, Beyer, Bogaert, Bourne, Chaney, Collins, Craddock, Dini, Getto, Jeffrey, Kerns, Kovacs, Marvel, May, Price, Redelsperger, Schofield, Sedway, Swain, Thompson—20.

Assembly Bill No. 299 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 379.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 379:

YEAS—42.

NAYS—None.

Assembly Bill No. 379 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 417.

Bill read third time.

Remarks by Assemblyman Craddock.

Roll call on Assembly Bill No. 417:

YEAS—42.

NAYS—None.

Assembly Bill No. 417 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 218 be placed on the General File.

Remarks by Assemblyman Bergevin.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 24.

Resolution read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Joint Resolution No. 24:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 24 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 81.

Bill read third time.

Remarks by Assemblyman Bogaert.

Roll call on Senate Bill No. 81:

YEAS—42.

NAYS—None.

Senate Bill No. 81 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 95.

Bill read third time.

Remarks by Assemblyman Getto.

Roll call on Senate Bill No. 95:

YEAS—42.

NAYS—None.

Senate Bill No. 95 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 174.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Senate Bill No. 174:

YEAS—42.

NAYS—None.

Senate Bill No. 174 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 218.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 532.

Amend sec. 8, page 2, by deleting line 24 and inserting: "*sioners of the county in which:*

1. The accident occurred, if the person is not a resident of this state; or

2. The person resides, if the person is a resident of this state, to determine".

Amend sec. 9, page 2, line 27, after "*board*" by inserting: "*of county commissioners*".

Amend sec. 10, page 2, line 39, after "*board*" by inserting: "*of trustees of the fund*".

Amend sec. 10, page 2, by inserting after line 43:

"*3. If such an indigent patient is transferred, within 3 days after his first admission, from one hospital to another, the first hospital is entitled to reimbursement in full for its unpaid charges, and the second hospital is entitled to full or partial reimbursement only for its unpaid charges in excess of $1,000.*".

Amend sec. 12, page 3, by deleting line 21 and inserting: "*the county in which:*

1. The accident occurred, if the person is not a resident of this state; or

2. The person resides, if the person is a resident of this state, and must be paid upon a".

Amend the bill as a whole by deleting sections 13 and 13.5 and inserting:

"Sec. 13. (Deleted by amendment.)".

Amend sec. 14, page 3, line 40, by deleting "*or*" and inserting "*and the interest*".

Amend sec. 14, pages 3 and 4, by deleting lines 41 through 44 on page 3 and lines 1 through 8 on page 4 and inserting: "*deposited for credit to the fund. Claims against the fund must be paid on claims approved by the board.*".

Amend sec. 15, page 4, by deleting lines 17 and 18 and inserting: "*his appointment and in that event the governor shall appoint a successor from a list of two nominees submitted by the board of directors of the Nevada Association of Counties.*".

Amend sec. 17, pages 4 and 5, by deleting lines 34 through 43 on page 4 and lines 1 through 15 on page 5 and inserting:

"Sec. 17. *1. The board of county commissioners of each county shall levy an ad valorem tax of three-quarters of one cent on each $100 of assessed valuation upon all taxable property in the county. The proceeds of this tax must be remitted monthly to the state treasurer for credit to the fund for hospital care to indigent persons.*

2. The tax so levied, and its proceeds, must be excluded in computing the maximum amount of money which the county is permitted to receive from taxes ad valorem and the highest permissible rate of such taxes.".

Amend sec. 19, page 6, by deleting line 6, and inserting:

"3. [The] *Except in the case of an injury suffered in a motor vehicle accident, the* board".

Amend the bill as a whole by renumbering section 21 as section 22 and adding a new section designated as section 21, following section 20, to read as follows:

"Sec. 21. NRS 356.087 is hereby amended to read as follows:

356.087 1. Except as provided in subsections 2 and 3, all interest paid on money belonging to this state must be deposited in the state general fund.

2. At the end of each quarter of each fiscal year, the state treasurer shall:

(a) Compute the proportion of total deposits and investments of state money, excluding investments owned outright for the account of the state permanent school fund, pursuant to chapter 355 of NRS and this chapter, which were attributable during the quarter to:

(1) The state highway fund, the motor vehicle fund and the taxicab authority fund created by NRS 408.235, 482.180 and 706.8825, respectively; and

(2) The account in the state general fund to which money withheld under NRS 338.160 is deposited;

(b) Apply the proportions obtained in subparagraphs (1) and (2) of paragraph (a) separately to the total amount of interest paid during that quarter to the state treasurer on deposits of state money;

(c) Credit to the state highway fund and the taxicab authority fund an amount equal to the amount arrived at by the computation in paragraph (b), applying the proportion obtained in subparagraph (1) of paragraph (a); and

(d) Pay to each contractor from whom money was withheld under NRS 338.160 during the quarter an amount equal to his pro rata share of the amount arrived at by the computation in paragraph (b), applying the proportion obtained in subparagraph (2) of paragraph (a).

3. The proportionate shares of the interest earned and received by:

(a) The dairy commission fund;

(b) The legislators' retirement fund;

(c) The public employees' retirement fund;

(d) The state permanent school fund;

(e) The silicosis and disabled pension fund;

(f) The offenders' store fund, offenders' employment fund and prisoners' personal property fund;

(g) The wildlife account;

(h) The trust fund for the care of sites for the disposal of radioactive waste;

(i) The Colorado River resources fund, the Colorado River research and development fund, the Eldorado Valley development fund, the Fort Mohave Valley development fund and any other special revenue fund, capital projects construction fund, trust fund, enterprise fund or agency fund for which the Colorado River commission is responsible;

(j) The business enterprise contingent fund for the blind;

(k) Any gifts, grants or bequests to state agencies which by their terms require that any interest earned inure to the credit of the donee;

(l) The fund for industrial development in counties having a population of 25,000 or less, created by chapter 621, Statutes of Nevada 1979;

(m) The fund for worker's compensation and safety;

(n) The uninsured employers' claim fund;

(o) The subsequent injury fund; [and]

(p) The historical dedicated trust fund [,] *; and*

(q) Any fund for which this provision is made by specific statute,

must be accounted for as separate income and assets of those respective funds and the appropriate account.''.

Amend sec. 21, page 7, line 8, before ''This'' by inserting ''1.''.

Amend sec. 21, page 7, by inserting after line 9:

''2. Section 21 of this act shall become effective at 12:02 a.m. on July 1, 1983.''.

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 218 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted and re-engrossed.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 251.

The following Senate amendments were read:

Amendment No. 474.

Amend section 1, page 1, by deleting line 6 and inserting *''intentionally:''*.

Amendment No. 473.

Amend section 1, page 1, by deleting lines 2 and 3 and inserting: ''thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *The administrator may withdraw his approval of an employer's pro-*''.

Amend the bill as a whole by renumbering section 2 as section 4 and adding a new section designated section 3, following section 1, to read as follows:

''Sec. 3. *1. If an employer requests a hearing concerning the*

withdrawal of approval pursuant to section 2 of this act, the administrator shall set a date for a hearing within 20 days after receiving the request, and shall give the employer at least 10 business days' notice of the time and place of the hearing.

2. A record of the hearing must be kept but it need not be transcribed unless it is requested by the employer and he pays the cost of transcription.

3. Within 5 business days after the hearing, the administrator shall either affirm or disaffirm the withdrawal of approval and give the employer written notice thereof by certified mail.''.

Amend sec. 2, page 2, line 2, by deleting ''*1*'' and inserting ''*2*''.

Assemblyman Banner moved that the Assembly concur in the Senate amendments to Assembly Bill No. 251.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 105.

The following Senate amendments were read:

Amendment No. 384.

Amend section 1, page 2, by deleting lines 1 and 2.

Amend section 1, page 2, line 8, by deleting ''*Any*'' and inserting: ''*Unless otherwise provided in the construction contract, any*''.

Amend section 1, page 2, lines 9 and 10, by deleting: ''*the rate of 1.5 percent per month, or fraction of a month,*'' and inserting: ''*a rate equal to the lowest daily prime rate at the three largest United States banking institutions on the date the contract is executed plus 2 percent,*''.

Amend section 1, page 2, line 13, by deleting ''*interest,*'' and inserting: ''*any interest which he receives,*''.

Amend section 1, page 2, line 18, after the semicolon by inserting ''*or*''.

Amend section 1, page 2, by deleting lines 19 through 21 and inserting

''*(b) Public works.*''.

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

''Sec. 2. NRS 99.040 is hereby amended to read as follows:

99.040 When there is no express contract in writing fixing a different rate of interest, interest must be allowed at the rate of 12 percent per annum upon all money from the time it becomes due, in the following cases:

1. Upon contracts, express or implied, other than book accounts.

2. Upon the settlement of book or store accounts from the day on which the balance is ascertained.

3. Upon money received to the use and benefit of another and detained without his consent.

4. Upon wages or salary, if it is unpaid when due, after demand therefor has been made.

The provisions of this section do not apply to money owed for the construction or remodeling of a building pursuant to section 1 of this act.''.

Amendment No. 493.

Amend section 1, page 2, by deleting line 20 and inserting:

''*(a) Any residential building; or*''.

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendments to Assembly Bill No. 105.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 85, 255, 329; Senate Bills Nos. 98, 353.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Sharon Andreasen and Miss Shari Andreasen.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. April Ann Phillips, Corina Sonee Phillips, Mr. Justin Thomas Phillips.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jerry Goldfarb.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lee Mendell.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Barter, Pennington and fifth grade students from Bordewich School, Carson City, Nevada: Lance David Cardinalli, Jason Chelius, Keith Conrad, Eric Fillmore, Jason Fuller, Scott Herlan, Tom Matthews, Sean Olsen, Michael Pennington, Randolph Sargent, David Showalter, Fred Aaron Stanio, Ronald Wilson, Paul Lee, Adrian Garcia, Thomas Judycki, Tracey Autry, Kristiana Bendorf, Julie Gibson, Ivrie Goldsworthy, Yvonne Horton, Misty Mann, Traci Anne Nellis, Davielle Van Kampen, April Johnson, Julia Burns and Jennifer Dehut.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Reg Bingham.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, April 20, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:18 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-FOURTH DAY

CARSON CITY (Wednesday), April 20, 1983

Assembly called to order at 11:04 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Robert Wood.

God, once again this day we open this session with a word of prayer. It is right that we come to you, for you are the Lord of all life, the public as well as the private. Your love and concern is for all people, and stretches to every area of our existence, so, Lord, observe this chamber filled with these men and women and children. May your spirit move amongst us to bring about wholeness and true maturity. May we not only be good as legislators and workers, but also be good spouses, parents, children, colleagues and citizens.

This we would ask in thy Son's name,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Economic Development, Tourism and Mining, to which was referred Senate Bill No. 170, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT E. PRICE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 339; Senate Bill No. 206, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which were referred Senate Bills Nos. 264, 265, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 111, 191, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 218, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Assembly Bill No. 425; Assembly Joint Resolution No. 20, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 19, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 48, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 334.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 166, 232, 237.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 99, 135.

Also, I have the honor to inform your honorable body that the Senate appointed Senators Wagner, Foley and Hickey as a first Committee on Conference concerning Senate Bill No. 118.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Vergiels:

Assembly Concurrent Resolution No. 28—Designating May 5 as Nevada's State Day of Prayer.

WHEREAS, Recognizing the importance of prayer to America's colonists, the Continental Congress proclaimed the first National Day of Prayer in 1775; and

WHEREAS, In January of this year, the President of the United States of America made a proclamation declaring May 5, 1983, a National Day of Prayer; and

WHEREAS, Members of this legislature have been invited to attend a brief gathering for prayer in the north patio of the legislative building at 12:10 p.m. on May 5; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That this legislature designates May 5 a State Day of Prayer, hoping that every Nevadan will set aside a time to pray for world peace and better understanding among all mankind.

Assemblyman Stewart moved the adoption of the resolution.

Resolution adopted unanimously.

By the Committee on Legislative Functions:

Assembly Resolution No. 14—Providing for the appointment of additional assembly attaches.

Resolved by the Assembly of the State of Nevada, That Alice J. Brouss and Linda B. Keaton are elected as additional attachos of the assembly for the 62nd session of the legislature of the State of Nevada.

Assemblyman Kovacs moved the adoption of the resolution.

Resolution adopted unanimously.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:12 a.m.

ASSEMBLY IN SESSION

At 11:16 a.m.
Mr. Speaker presiding.
Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation:

Assembly Bill No. 533—An Act relating to insurance for motor vehicles; increasing the minimum required limits of coverage; amending provisions relating to underinsured drivers; and providing other matters properly relating thereto.

Assemblyman Coffin moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Nicholas, Dini and Bergevin:

Assembly Bill No. 534—An Act relating to the Tahoe Basin; requiring that a proposal to issue state general obligation bonds for the purchase of land in the Tahoe Basin be submitted to a vote of the people; providing for a commission on land acquisition; providing for administration by the state land registrar if the bonds are approved; and providing other matters properly relating thereto.

Assemblyman Nicholas moved that the bill be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

By Assemblymen Vergiels, Jeffrey and Kovacs:

Assembly Bill No. 535—An Act relating to sporting events; authorizing the issuance of licenses permitting the conduct of off-track pari-mutuel wagering, including pari-mutuel wagering on races or events which take place in another state; excluding certain persons from regulation as disseminators of information; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Vergiels, Jeffrey, Stewart and Kovacs:

Assembly Bill No. 536—An Act relating to gambling; making gaming debts collectible by or against licensed gaming establishments; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Vergiels and Jeffrey:

Assembly Bill No. 537—An Act relating to sporting events; providing for the regulation of rates charged by disseminators of information for race books and sports pools; excluding certain persons from regulation as disseminators of information; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Bourne and Nevin:

Assembly Bill No. 538—An Act relating to corporations; increasing the amount of an employee's lien when a corporation becomes insolvent or is dissolved; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Thompson, Schofield, Jeffrey, Banner, Dini, Berkley, Perry, Sedway, May, Fay, Bourne, Nevin, Stewart, Collins, Coffin, Price and Vergiels:

Assembly Bill No. 539—An Act relating to labor; prohibiting a contract of employment which reduces an employee's benefits because of his age; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 166.

Assemblyman Stewart moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 232.

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

Motion carried.

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

Assembly in recess at 11:20 a.m.

ASSEMBLY IN SESSION

At 11:21 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 237.

Assemblyman Stewart moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 334.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 540—An Act relating to the advocate for customers of public utilities; providing for the reduction of the assessment on public utilities to support that office; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 541—An Act making an additional and supplemental appropriation to the department of taxation for data processing; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 542—An Act relating to independent contractors; authorizing the state board of examiners to delegate prior approval of contracts with such contractors; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 86.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 265.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 250.

Amend section 1, page 1, line 4, by deleting "*observe*" and inserting "*memorialize*".

Amend the title of the bill, first line, by deleting "observe" and inserting "memorialize".

Assemblyman Collins moved the adoption of the amendment.

Remarks by Assemblyman Collins.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 326.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 518.

Amend sec. 2, page 2, line 4, after "clubs." by inserting: "*All money which the commission receives pursuant to this subsection must*

be deposited with the state treasurer for credit to the athletic commission's trust fund, which is hereby created.''.

Amend sec. 2, page 2, line 9, by deleting: ''30 days [prior to]'' and inserting: ''[30 days prior to] *5 days*''.

Amend sec. 2, page 2, line 14, by deleting ''*All*''.

Amend sec. 2, page 2, by deleting lines 15 through 17.

Amend the bill as a whole by renumbering section 3, as section 5 and adding new sections, designated sections 3 and 4, following section 2, to read as follows:

''Sec. 3. NRS 467.104 is hereby amended to read as follows:

467.104 1. Any person who charges and receives an admission fee for exhibiting any live boxing or sparring match, wrestling exhibition or performance on a closed-circuit telecast, or motion picture, shall, within [72 hours after such] *10 days after the* event, furnish to the commission a verified written report on a form which is supplied by the commission, showing the number of tickets sold and issued or sold or issued, and the gross receipts therefor without any deductions.

2. [Such] *That* person shall also, at the same time, pay to the commission a license fee, exclusive of federal taxes thereon, of 4 cents for each $1 or fraction thereof received for admission at [such] *the* exhibition. The license fee [shall apply] *applies* uniformly at the same rate to all persons subject to it. The license fee [shall] *must* be based on the face value of all tickets sold and complimentary tickets issued.

Sec. 4. NRS 467.109 is hereby amended to read as follows:

467.109 1. Every promoter shall, within [72 hours] *10 days* after the completion of any contest, match or exhibition for which an admission fee is charged and received, furnish to the commission a *verified* written report [, duly verified] showing:

(a) The number of tickets sold and issued or sold or issued for [such] *the* contest, match or exhibition;

(b) The amount of the:

(1) Gross receipts from admission fees; and

(2) Gross receipts derived from the sale, lease or other exploitation of broadcasting, motion picture and television rights of such contest, match or exhibition,

without any deductions for commissions, brokerage fees, distribution fees, advertising, contestants' purses or any other expenses or charges; and

(c) Such other matters as the commission may prescribe.

2. [Such] *The* promoter shall at the same time pay to the commission the license fee described in NRS 467.107.''.

Amend sec. 3, page 2, by deleting lines 40 and 41 and inserting: ''*any matter, must be credited to the athletic commission's trust fund and must remain in that fund*''.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 365.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 513.

Amend section 1, page 1, line 3, after "*advertisements*" by inserting: "*and notices*".

Amend section 1, page 1, line 8, after "*shall*" by inserting: ", *from projected assessed valuations provided by the county assessor and the selling schedule for the issue,*".

Amend section 1, page 1, line 9, before "*which*" by inserting: "*necessary for debt service*".

Amend sec. 2, page 2, by deleting line 7 and inserting:

"*(f) An estimate, from projected assessed valuations provided by the county assessor and the selling schedule for the issue, of the increase in the tax rate necessary for debt service which would result if*".

Amend the bill as a whole by deleting section 3.

Amend the title of the bill, first and second lines, by deleting: ", the notice of election and the ballot" and inserting: "and the notice of election".

Amend the summary of the bill by deleting: "advertisements, notice of election and ballot" and inserting: "advertisements and notice of election".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

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

Assembly in recess at 11:27 a.m.

ASSEMBLY IN SESSION

At 11:28 a.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 375.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 520.

Amend section 1, page 1, line 6, after "*application*" by inserting: "*and making related examination*".

Amend section 1, page 4, by inserting after line 23:

"*30. Surplus lines:*

(a) Filing of affidavit pursuant to NRS 685A.050 ..... $25

(b) Filing of memorandum pursuant to NRS 685A.060 25

(c) Filing of amendment to the memorandum when additional premium is reported $10
31. Required filing of forms:
(a) For rates and policies $25
(b) For riders and endorsements ..... 10''.

Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:

''Sec. 2. NRS 685A.180 is hereby amended to read as follows:

685A.180 1. [On] *Except as otherwise provided in subsection 5, on* or before March 1 of each year each broker shall pay to the commissioner [, or as provided in paragraph (c) of subsection 1 of NRS 685A.210 (brokers' association),] a tax on surplus lines coverages written by him in unauthorized insurers during the preceding calendar year at the same rate of tax as imposed by law on the premiums of like coverages written by authorized insurers.

2. For the purposes of [the Surplus Lines Law] *this section,* the ''premium'' on surplus lines coverages [shall include] *includes* only the gross amount charged by the insurer for the insurance, and [shall] *does* not include any additional amount charged for state or federal tax, *an* examination fee or *the* expense of the broker.

3. If a *contract for* surplus lines insurance [contract] covers risks or exposures only partially in this state, the tax so payable [shall] *must* be computed on that portion of the premium properly allocable to the risks or exposures located in this state.

4. The commissioner shall promptly deposit all such taxes collected by him with the state treasurer, to the credit of the general fund.

5. If the contract for surplus lines insurance is issued to any political subdivision of this state, the premiums for that coverage are exempt from the tax imposed in subsection 1.''.

Amend the title of the bill, second line, after ''services;'' by inserting: ''setting a fee for the filing of an affidavit by the broker of a surplus line; exempting certain premiums for surplus line insurance from certain tax;''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 218 be placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 305.

Bill read third time.

Remarks by Assemblymen Thompson, Stone, Nevin, Malone and Price.

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

Assembly in recess at 11:39 a.m.

ASSEMBLY IN SESSION

At 11:43 a.m.
Mr. Speaker presiding.
Quorum present.

Remarks by Assemblymen Bilyeu, Thomas, Bremner, Sedway, Thompson, Nicholas, Getto and Malone.
Roll call on Assembly Bill No. 305:

YEAS—36.
NAYS—Chaney, Collins, Ham, Nevin, Price, Stone—6.

Assembly Bill No. 305 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 317.
Bill read third time.
Remarks by Assemblyman Coffin.
Roll call on Assembly Bill No. 317:

YEAS—42.
NAYS—None.

Assembly Bill No. 317 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 429.
Bill read third time.
Remarks by Assemblyman Nevin.
Roll call on Assembly Bill No. 429:

YEAS—42.
NAYS—None.

Assembly Bill No. 429 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 218.
Bill read third time.
Remarks by Assemblymen Getto and Banner.
Roll call on Assembly Bill No. 218:

YEAS—42.
NAYS—None.

Assembly Bill No. 218 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Assembly Bill No. 315 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

Assemblyman Price moved that Senate Bill No. 170 be placed at the top of the Second Reading File.

Remarks by Assemblyman Price.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 48.

The following Senate amendment was read:

Amendment No. 484.

Amend section 1, page 1, by deleting lines 3 through 6 and inserting: "*1. It is unlawful for a group of people, acting together, intentionally to interfere with a person who is lawfully hunting or trapping.*".

Amend section 1, page 1, line 8, by deleting "*of the land,*" and inserting: "*or person in possession of the land, other than the government,*".

Amend the title of the bill, first and second lines, by deleting: "and the harassment of game animals;" and inserting: "by people acting as a group;".

Amend the summary of the bill to read as follows: "Prohibits interference with hunting or trapping by group of people.".

Assemblyman Thompson moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 48.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 358.

The following Senate amendment was read:

Amendment No. 454.

Amend section 1, page 1, line 2, by deleting "Whenever" and inserting: "[Whenever] *1. Except as otherwise provided in subsection 2, whenever*".

Amend section 1, page 1, by inserting between lines 10 and 11:

"*2. The provisions of this section do not apply to indigent persons.*".

Amend sec. 2, page 1, line 12, by deleting "Whenever" and inserting: "[Whenever] *1. Except as otherwise provided in subsection 2, whenever*".

Amend sec. 2, page 1, by inserting between lines 16 and 17:

"*2. The provisions of this section do not apply to indigent persons.*".

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 358.

Motion carried.

Bill ordered enrolled.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Economic Development, Tourism and Mining, to which was referred Assembly Bill No. 191, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

ROBERT E. PRICE, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Taxation, to which was referred Assembly Bill No. 191, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Taxation.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Economic Development, Tourism and Mining, to which was referred Senate Bill No. 229, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT E. PRICE, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 543—An Act relating to mechanics' liens; requiring notice of lis pendens whenever the venue of an action to foreclose such a lien is changed; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Assembly Bill No. 315 be taken from its position on the Second Reading File and placed at the top of the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 315.

Bill read second time.

The following amendments were proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 540.

Amend section 1, page 1, by deleting line 6 and inserting:

"2. [Information] *Any information* which *specifically* relates to:".

Amend section 1, page 1, line 9, by deleting "] *the*".

Amend section 1, page 1, line 11, by deleting "[,] is confidential ." and inserting ", is confidential".

Amend section 1, page 1, by deleting lines 14 and 15 and inserting "*when-*".

Amend section 1, page 1, line 17, after "secret." by inserting: "*In*

determining whether the information is entitled to such protection, the director shall consider, among other things, whether the disclosure of that information would tend to affect adversely the competitive position of the information's owner.''.

Amend section 1, page 1, by deleting line 18 and inserting:

''*3. Any information which is confidential under subsection 2*''.

Amendment No. 553.

Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:

''Sec. 2. NRS 444.778 is hereby amended to read as follows:

444.778 Any person who, intentionally or with criminal negligence, violates *subsection 1 of NRS 444.746,* any term or condition of a permit issued pursuant to NRS 444.748 or an order issued by the department relating to hazardous waste:

1. For the first violation, shall be punished by imprisonment in the county jail for not more than 1 year, or by a fine of not more than $25,000 [,] *for each day of the violation,* or by both fine and imprisonment.

2. For a second or subsequent violation, shall be punished by imprisonment in the state prison for not less than 1 year or more than 6 years, or by a fine of not more than $50,000 [,] *for each day of the violation,* or by both fine and imprisonment.''.

Amend the title of the bill, third line, after ''waste;'' by inserting: ''providing and increasing penalties;''.

Assemblyman Schofield moved the adoption of the amendments.

Remarks by Assemblyman Schofield.

Amendments adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 170.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Tourism and Mining:

Amendment No. 536.

Amend sec. 4, page 1, line 17, by deleting ''*deposited*'' and inserting: ''*paid to the department of taxation for deposit*''.

Amend sec. 4, page 2, line 1, after ''*county*'' by inserting ''*fair*''.

Amend sec. 8, page 2, line 31, by deleting ''*deposited*'' and inserting: ''*paid to the department of taxation for deposit*''.

Amend sec. 10, page 3, line 10, by deleting ''10'' and inserting ''5''.

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Assemblyman Price moved that Senate Bill No. 170 be placed on the Chief Clerk's desk.

Motion carried.

Bill ordered reprinted and re-engrossed.

Assemblyman Kovacs moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:11 p.m.

ASSEMBLY IN SESSION

At 12:12 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 376.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 528.

Amend section 1, page 1, by deleting line 2 and inserting:

"703.160 The com-".

Amend section 1, page 1, line 4, after "places as" by inserting: "*the public interest or*".

Amend section 1, page 1, by deleting lines 6 through 9.

Amend the bill as a whole by deleting section 2.

Amend the title of the bill to read:

"An Act relating to the public service commission; allowing it to consider the public interest when determining where to hold its hearings; and providing other matters properly relating thereto.".

Amend the summary of the bill to read: "Allows public service commission to consider public interest when determining location of its hearings.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 399.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 525.

Amend section 1, page 1, line 10, by deleting "*notice*" and inserting "*a copy*".

Amend sec. 2, page 2, line 9, by deleting "*notice*" and inserting "*a copy*".

Amend sec. 3, page 2, line 34, by deleting "*notice*" and inserting "*a copy*".

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblyman Bourne.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 402.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 531.

Amend sec. 2, page 2, line 36, by deleting "*must*" and inserting "*need*".

Amend sec. 3, page 3, line 29, by deleting "[The employee is" and inserting "The employee [is".

Amend sec. 3, page 3, by deleting line 32 and inserting: "tive;] *will have reached the age and completed the years of service necessary for retirement, without actuarial reduction of his benefit, at the expiration of the term of the agreement;*".

Amend sec. 3, page 3, line 33, by deleting "(c)]" and inserting "(c)".

Amend sec. 3, page 3, line 36, by deleting "[(d)] *(c)*" and inserting "(d)".

Amend sec. 3, page 4, line 1, by deleting "[(e)] *(d)*" and inserting "(e)".

Amend sec. 3, page 4, line 3, by deleting "[(f)] *(e)*" and inserting "(f)".

Amend sec. 4, page 4, line 31, after "*employees*" by inserting: "*who are not police officers or firemen*".

Amend sec. 4, page 5, line 1, after "*employees*" by inserting: "*who are not police officers or firemen*".

Amend sec. 4, page 5, line 5, after "*employees*" by inserting: "*who are not police officers or firemen*".

Amend sec. 5, page 5, line 30, after "*if*" by inserting: "*he does not request the refund and*".

Amend the bill as a whole by adding a new section, designated as section 11.5, following section 11, to read as follows:

"Sec. 11.5. NRS 286.678 is hereby amended to read as follows:

286.678 Any spouse eligible for payments under the provisions of NRS 286.674 or 286.676 may elect to waive payment of a monthly allowance and to receive instead *in* a lump sum *a* refund of all contributions to the public employees' retirement fund or the police and firemen's retirement fund made by a deceased member plus [50 percent of] any contributions made by a public employer [on his behalf,] *in lieu of the employee's contributions,* but if more than one person is eligible for benefits on account of the contributions of any one deceased member, no such lump sum payment may be made.

Amend sec. 12, page 12, by deleting lines 11 through 16 and inserting "lump sum to:

(a) The beneficiary whom the deceased member designated for this purpose in writing on a form approved by the system.

(b) If no such designation was made or the person designated is deceased, the beneficiary who previously received the payments . [, or to the estate of such beneficiary, and such]".

Amend sec. 17, page 15, line 7, by deleting the period and inserting: "*except as provided in subsection 4.*"

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 409.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 502.

Amend the bill as a whole by renumbering sections 1 and 2 as sections 2 and 3 and adding a new section desginated section 1, preceding section 1, to read as follows:

"Section 1. Chapter 200 of NRS is hereby amended by adding thereto a new section which shall read as follows:

As used in this chapter, "fresh pursuit" has the meaning ascribed to it in NRS 171.168.".

Amend section 1, page 1, lines 5 and 6, by deleting "*pursuing a fugitive.*" and inserting: "*in fresh pursuit of a fugitive.*".

Amend sec. 2, page 2, line 7, by deleting "*pursuing a fugitive,*" and inserting: "*in fresh pursuit of a fugitive,*".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 424.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 526.

Amend section 1, page 1, by deleting lines 9 and 10 and inserting:

"(b) Actual expenses for subsistence and lodging, not [to exceed $40 per day,] *greater than the amount provided by law for state employees,* and actual expenses for transportation, while travel-".

Amend the title of the bill, first line, by deleting "removing" and inserting "changing".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 509.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 25.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 127.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 527.

Amend section 1, page 1, by deleting lines 11 and 12 and inserting "*ness organization which:*

(a) Reports to and is supervised by the superintendent;

(b) Is supervised by the commissioner of savings associations; or

(c) Is supervised by the commissioner of insurance.".

Amend sec. 2, page 2, line 18, after "this" by inserting "*or any other*".

Amend the title of the bill, third line, after "banks" by inserting: ", the commissioner of insurance".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 204.

Bill read second time and ordered to third reading.

Senate Bill No. 219.

Bill read second time and ordered to third reading.

Senate Bill No. 244.

Bill read second time and ordered to third reading.

Senate Bill No. 253.

Bill read second time and ordered to third reading.

Senate Bill No. 267.

Bill read second time and ordered to third reading.

Senate Bill No. 269.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 191 be placed on the General File.

Remarks by Assemblyman May.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 191.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 550.

Amend sec. 35, page 12, line 27, after "The" by inserting "money in the".

Amend sec. 35, page 12, by deleting line 31 and inserting: "lished, owned or controlled, by the county, any incorporated city or any airport authority created by special legislative act as a quasi-municipal corporation".

Amend sec. 35, page 12, line 33, after "The" by inserting "money in the".

Amend sec. 35, page 12, line 36, after "city," by inserting "the".

Amend sec. 35, page 12, by deleting line 40 and inserting: "area within the county, all of the money in the fund must be allocated to the".

Amend sec. 35, page 12, line 44, after "all" by inserting "of the".

Amend sec. 35, page 13, line 1, by deleting "such" and inserting "those".

Amend sec. 35, page 13, line 4, after "areas," by inserting "*all of the*".

Amend sec. 35, page 13, by inserting between lines 9 and 10:

"6. If the only airport or landing area within a county is owned or controlled by an airport authority created by special legislative act as a quasi-municipal corporation, all of the money in the fund must be allocated to the airport authority.".

Amend the bill as a whole by adding a new section, designated section 41, following section 40, to read as follows:

"Sec. 41. Section 35 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Assemblyman May moved that Assembly Bill No. 191 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted and re-engrossed.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 105, 242, 251, 278; Senate Bills Nos. 80, 99, 135, 193, 222.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblymen Beyer and Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Louis Istrice, Martin Mueller and Senior Government Class students from Hug High School, Reno, Nevada.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rebecca Ward and Jan Loverin.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rose Oyarbide and Laura Perden.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kathleen Cramer and Mr. C. Stanleigh Cramer.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jeanne N. Adams.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Ahrens, DiLoreto, McGee, Bonnie Parnell and sixth grade students from Fritsch School, Carson City, Nevada: Traci Agnes, Alison Baker, Marya Berg, Jolene Boardman, Melissa Carel, Kam Colgan, Teresa DiLoreto, Jill Erickson, Katie McKenzie, Jenny McGee, Lisa Savenelli, Robin Sharp, Debbie Smerdon, Elizabeth Sonntag, Michele Trease, Dar Ahrens, Troy Bellinghousen, Kurt Barrick, Rodney Hansen, Steve Schaffer, Jim Vasquez, Troy Wandler and Jay Cypher; Mesdames Roy Kidder, Ms. Kay Deskin and students from Bordewich School, Carson City, Nevada: Aaron Browne, David Carlson, Larry Epley, Cody Farnworth, Manny Gullatt, Brent Hammack, Stephen Hanson, Tom Horgan, Nathen Hughes, Cory Hunter, Brian Lehmkuhl, Goerge Maxwell, Kevin O'Connor, Matt Reeder, David Toroni, Carl Turtle, Josh Zive, Kate Arevalo, Tammy Arthur, April Christian, Jennifer Coughlin, Krista Grange, Shelley Kidder, Shannon Millard, Patricia Nutting, Ruby Sturn and Wendy Vogt; Ms. Carol A. Costro, Nancy Parents, Mrs. Harry Lipparelli and fifth grade students from Bordewich School, Carson City, Nevada: Travis Barrett, Kenny Boothby, Ernie Bull, Frank Corral, Michael Crowell, Paul Forman, John Gibbs, Steve Hardin, Matt Hall, Randall Howard, Steve Kordonowy, Stephen Lewis, Floyd McElroy, Chris Mello, Travis Ross, Laura Barnes, Jessica Biddleman, Jennifer Butler, Julie Falk, Heather Gottschalk, Terrie Polke, Monique Jerue, Vicky LeClair, Tanya Parents, Tracey Shoemaker and Kathy Shull.

Assemblyman Stewart moved that the Assembly adjourn until Thursday, April 21, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:34 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-FIFTH DAY

CARSON CITY (Thursday), April 21, 1983

Assembly called to order at 11:01 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Robert Wood.

Oh Lord, our God, as we begin this day's session we would again acknowledge your living presence in our midst. What a comfort it is to know that despite the pressure and demands of our public calling, your care and compassion for us remains constant. In you we find peace, rest and renewed strength to carry out the duties to which we are assigned. In you we find wisdom and sound counsel for the difficult decisions which we face. So with reverence and thanksgiving we ask for your blessing on these who serve the people and the State of Nevada. May they have hope and assurance as they diligently work to carry out the trust placed in them. May the marks of justice, compassion and integrity be the distinguishing characteristics of all who fill this chamber. This we ask in thy Son's name,

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Brady 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 451, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was re-referred Assembly Bill No. 307, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 514, 515, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 124, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Judiciary, but without recommendation.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 288, 392, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 20, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 348.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 163, 180.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 116.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 25.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Coffin moved that Assembly Bill No. 307 be placed on the General File.

Remarks by Assemblyman Coffin.

Motion carried.

Senate Concurrent Resolution No. 25.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Education.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 544—An Act relating to garbage; limiting its disposal in or near an incorporated city; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Banner:

Assembly Bill No. 545—An Act relating to unemployment compensation; authorizing the executive director of the employment security department to credit an employer's account with the interest earned on the account; authorizing the executive director to assess certain employers who have negative reserve balances; limiting the award for attorney's fees in administrative appeals; authorizing the executive director to deny benefits to a person who quits his job; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 546—An Act relating to industrial insurance; making assorted changes in the law relating thereto; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 163.

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

Motion carried.

Senate Bill No. 180.

Assemblyman Brady moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 348.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 468, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Joint Resolution No. 28, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Joint Resolution No. 15, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and re-refer to the Committee on Ways and Means.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 386, 442, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Senate Joint Resolution No. 15 be re-referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 339.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 524.

Amend section 1, page 1, line 6, by deleting: "*state or federal program,*" and inserting: "*program funded by this state or the United States to provide legal assistance,*".

Amend section 1, page 2, line 14, after "*the*" and inserting "*indigent or*".

Amend the title of the bill, second line, after "for" by inserting "indigent or".

Assemblyman Berkley moved the adoption of the amendment.

Remarks by Assemblyman Berkley.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 425.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 20.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 111.

Bill read second time and ordered to third reading.

Senate Bill No. 191.

Bill read second time and ordered to third reading.

Senate Bill No. 206.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 542.

Amend section 1, page 1, line 21, by deleting "*$20*" and inserting "*$30*".

Amend section 1, page 2, line 1, by deleting "*$10*" and inserting "*$15*".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 229.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Tourism and Mining:

Amendment No. 545.

Amend the bill as a whole by adding a new section, designated section 7, following section 6, to read as follows:

"Sec. 7. This act shall become effective upon passage and approval.".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblyman Swain.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 264.

Bill read second time and ordered to third reading.

Senate Bill No. 265.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nicholas moved that Assembly Bill No. 86 be taken from the General File and re-referred to the Committee on Ways and Means.

Remarks by Assemblyman Nicholas.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 509.

Bill read third time.

Remarks by Assemblyman Redelsperger.

Roll call on Assembly Bill No. 509:

YEAS—42.

NAYS—None.

Assembly Bill No. 509 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 25.

Resolution read third time.

Remarks by Assemblyman Price.

Roll call on Assembly Joint Resolution No. 25:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 25 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 204.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 204:

YEAS—42.

NAYS—None.

Senate Bill No. 204 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 219.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Senate Bill No. 219:
YEAS—42.
NAYS—None.
Senate Bill No. 219 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 244.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Senate Bill No. 244:
YEAS—42.
NAYS—None.
Senate Bill No. 244 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 253.
Bill read third time.
Remarks by Assemblymen Thompson and Price.
Roll call on Senate Bill No. 253:
YEAS—42.
NAYS—None.
Senate Bill No. 253 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 267.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Senate Bill No. 267:
YEAS—42.
NAYS—None.
Senate Bill No. 267 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 269.
Bill read third time.
Remarks by Assemblyman Price.
Roll call on Senate Bill No. 269:
YEAS—42.
NAYS—None.
Senate Bill No. 269 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 307.

Bill read third time.

Remarks by Assemblymen Swain and Chaney.

Assemblyman Bogaert moved that Assembly Bill No. 307 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Bogaert and Swain.

Motion lost.

Roll call on Assembly Bill No. 307:

YEAS—29.

NAYS—Bergevin, Bilyeu, Bogaert, Brady, Bremner, Chaney, Collins, Craddock, DuBois, Fay, Kerns, Marvel, May—13.

Assembly Bill No. 307 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 400 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Stewart moved that Assembly Bill No. 124 be placed on the Second Reading File.

Remarks by Assemblyman Stewart.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 124.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 557.

Amend sec. 2, page 2, by deleting lines 17 through 27 and inserting: "*Every person who causes a debtor to have a reasonable apprehension that a delay in repaying the debt could result in the use of violence or other criminal means to:*

1. Harm physically the debtor or any other person; or

2. Damage any property belonging to or in the custody of the debtor,

is guilty of extortionate collection of debt and shall be punished by imprisonment in the state prison for not less than 5 years nor more than 20 years, and may be further punished by a fine of not more than $100,000.".

Amend sec. 4, page 2, line 32, by deleting "*9,*" and inserting "*8,*".

Amend sec. 5, page 3, line 6, by deleting "*extension of credit*" and inserting "*collection of debt*".

Amend sec. 5, page 3, line 12, after "*offering*" by inserting ", *soliciting*".

Amend sec. 5, page 3, line 22, after "*violation of*" by inserting: "*NRS 463.160 or subsection 2 of NRS 463.360 or*".

Amend sec. 5, page 3, by inserting between lines 29 and 30:

"*29. Any violation of NRS 201.300 or 201.360.*".

Amend sec. 8, page 3, line 42, after "*similar*" by inserting "*pattern,*".

Amend sec. 8, page 4, line 4, by deleting "*5*" and inserting "*3*".

Amend sec. 9, page 4, by deleting lines 6 through 9 and inserting:

"Sec. 9. (Deleted by amendment.)".

Amend sec. 10, page 4, lines 12 and 13, by deleting: "*or through the collection of an unlawful debt*".

Amend sec. 10, page 4, lines 18 and 19, by deleting: "*or through the collection of an unlawful debt,*".

Amend sec. 10, page 4, lines 23 and 24, by deleting: "*or the collection of an unlawful debt;*" and inserting ";".

Amend sec. 10, page 4, line 25, by deleting: "*or the collection of an unlawful debt*".

Amend sec. 10, page 4, after line 44 by inserting:

"*3. Any person who violates this section shall be punished by imprisonment in the state prison for not less than 5 years nor more than 20 years, and may be further punished by a fine of not more than $25,000.*".

Amend sec. 11, page 5, by deleting lines 1 through 8 and inserting:

"Sec. 11. *In lieu of the fine which may be imposed for a violation of section 10 of this act, the convicted person may be fined an amount that does not exceed three times:*

1. The gross value he gained: or

2. The gross loss, excluding the pain and suffering he caused,

whichever is greater, as a result of the violation. The fine may also include court costs and the reasonable costs of investigation and prosecution. If property is ordered forfeited pursuant to section 11.8 of this act, the value of that property must be subtracted from a fine imposed pursuant to this section.".

Amend the bill as a whole by adding new sections, designated 11.2, 11.4, 11.6 and 11.8, following section 11, to read as follows:

"Sec. 11.2. *1. If the indictment or information filed regarding a violation of section 10 of this act alleges that real or personal property was derived from, realized through, or used or intended for use in the course of the unlawful act and the extent of that property, the jury or, if the trial is without a jury, the court shall, upon a conviction, determine the extent of property to be forfeited. If the indictment or information does not include such an allegation, the property is not subject to criminal forfeiture.*

2. The property subject to criminal forfeiture pursuant to subsection 1 includes:

(a) Any interest acquired or maintained by the unlawful conduct;

(b) Any proceeds derived from the unlawful conduct;

(c) Any property or contractual right which affords a source of influence over any enterprise established, operated, controlled, participated in or conducted in violation of section 10 of this act;

(d) Any position, office, appointment, tenure or contract of employment which was acquired or maintained in violation of section 10 of

this act or through which he conducted or participated in the conduct of such unlawful actions of an enterprise;

(e) Any compensation, right or benefit derived from a position, office, appointment, tenure or contract of employment that accrued to him during the period of unlawful conduct; and

(f) Any amount payable or paid under any contract for goods or services as a result of the unlawful conduct.

3. If property which is ordered to be criminally forfeited pursuant to subsection 1:

(a) Cannot be located;

(b) Has been sold to a purchaser in good faith for value;

(c) Has been placed beyond the jurisdiction of the court;

(d) Has been substantially diminished in value by the conduct of the defendant;

(e) Has been commingled with other property which cannot be divided without difficulty or undue injury to innocent persons; or

(f) Is otherwise unreachable without undue injury to innocent persons, the court shall order the forfeiture of other property of the defendant up to the value of the property that is unreachable.

Sec. 11.4. *1. After an information or indictment is filed regarding a violation of section 10 of this act, the prosecuting attorney may request the court to:*

(a) Enter a restraining order or injunction;

(b) Require the execution of a satisfactory bond;

(c) Appoint a receiver; or

(d) Take any other necessary action,

to preserve property which is subject to criminal forfeiture.

2. The court shall, after a hearing for which notice was given to any person whose rights in the property proposed for forfeiture would be affected, order such an action if the prosecuting attorney shows by a preponderance of the evidence that the action is necessary to preserve the defendant's property which is subject to criminal forfeiture.

3. If no indictment or information has been filed regarding a violation of section 10 of this act, the court may, after such a hearing and upon a showing of the prosecuting attorney that:

(a) There is probable cause to believe that the property for which the order is sought would be subject to criminal forfeiture; and

(b) The requested order would not result in substantial and irreparable harm or injury to the prospective defendant that outweight the need to preserve the property for the potential criminal forfeiture,

order an action to preserve the property. Such an order may not be effective for more than 90 days unless it is extended for good cause or an indictment or information is filed regarding a violation of section 10 of this act and the extent of the criminally forfeitable property is listed therein.

Sec. 11.6. *1. The prosecuting attorney may apply for, and a court may issue without notice or hearing, a temporary restraining order to preserve property which would be subject to criminal forfeiture under section 11.2 of this act if:*

(a) An indictment or information has been filed regarding a violation

of section 10 of this act and the extent of criminally forfeitable property is included therein or the court believes there is probable cause for such an inclusion;

(b) The property is in the possession or control of the party against whom the order will be entered; and

(c) The court determines that the nature of the property is such that it can be concealed, disposed of or placed beyond the jursidiction of the court before a hearing on the matter.

2. A temporary restraining order which is issued without notice to all parties may be issued for not more than 10 days and may be extended only for good cause or by consent. The court shall provide notice and hold a hearing on the matter before the order expires.

Sec. 11.8. *1. Upon entry of a judgment for a violation of section 10 of this act, the court may order the forfeiture of the appropriate property.*

2. Upon entry of such an order, the court may:

(a) Enter a restraining order or injunction;

(b) Require the execution of a bond;

(c) Appoint a receiver; or

(d) Take any other necessary action,

to preserve the property ordered forfeited.''.

Amend sec. 13, page 5, by deleting lines 26 through 36 and inserting:

''Sec. 13. *1. Property subject to forfeiture under sections 11.2 and 12 of this act may be seized by a law enforcement agency upon process issued by a court. Before an order of civil forfeiture is issued and without legal process, notice of the claim for forfeiture of real property may be given in the manner provided in NRS 14.010 and 14.015. A seizure of personal property may be made if the seizure is incident to:*

(a) A lawful arrest or search; or

(b) An inspection under an administrative warrant.

2. Property seized or made the subject of notice under this section is deemed to be in the custody of the agency subject only to orders of the court which has jurisdiction over the proceedings for forfeiture. An agency which has seized such property without process shall begin the proceedings for forfeiture promptly. Such an action takes precedence over other civil proceedings. The seized property is subject to an action to claim the delivery of the property if the agency does not file the complaint for forfeiture within 60 days after the property is seized. If a complaint for forfeiture is filed after an affidavit claiming delivery, the complaint must be treated as a counterclaim.

3. When property is seized under this section, pending forfeiture''.

Amend sec. 13, page 5, line 42, by deleting ''*3.*'' and inserting ''*4.*''.

Amend sec. 13, page 5, line 44, after ''*act.*'' by inserting: ''*The district attorney has jurisdiction when the property is seized by a local governmental agency. The attorney general has jurisdiction when the property is seized by a state agency. If a district attorney has not instituted such a proceeding or has not pursued one which was instituted,*

the attorney general may intercede after giving 30 days written notice of his intention to do so.

5.''.

Amend sec. 13, page 6, line 8, by deleting ''*4.*'' and inserting ''*6.*''.

Amend sec. 14, page 6, line 11, after ''*state*'' by inserting '', *county or city*''.

Amend sec. 14, page 6, line 13, after ''*state*'' by inserting '', *county or city*''.

Amend sec. 14, page 6, by deleting line 20 and inserting: ''*any, must be deposited in the general fund of the state or a county or city as the court provides in the order of forfeiture.*''.

Amend sec. 16, page 7, line 26, by deleting the period and inserting ''*or penalty.*''.

Amend the bill as a whole by adding a new section, designated section 19, following section 18, to read as follows:

''Sec. 19. NRS 14.065 is hereby amended to read as follows:

14.065 1. Personal service of summons upon a party outside this state is sufficient to confer upon a court of this state jurisdiction of the person of the party so served if:

(a) [Such] *The* service is made by delivering a copy of the summons, together with a copy of the complaint, to the party served in the manner provided by statute or rule of court for service upon a person of like kind within this state; and

(b) [Such] *The* party has submitted himself to the jurisdiction of the courts of this state in a manner provided by this section.

2. Any person who, in person or through an agent or instrumentality, does any of the acts enumerated in this subsection thereby submits himself and, if [an individual,] *a natural person,* his personal representative to the jurisdiction of the courts of this state as to any cause of action which arises from *:* [the doing of such acts:]

(a) Transacting any business or negotiating any commercial paper within this state;

(b) Committing a tortious act within this state;

(c) Owning, using or possessing any real property situated in this state;

(d) Contracting to insure any person, property or risk located within this state at the time of contracting; [or]

(e) Living in the marital relationship within this state notwithstanding subsequent departure from this state, as to all obligations arising for alimony, child support or property settlement, if the other party to the marital relationship continues to reside in this state [.] *; or*

(f) Violating section 10 of this act.

3. Only causes of action arising from these enumerated acts may be asserted against a defendant in an action in which jurisdiction over him is based on this section.

4. The method of service provided in this section is cumulative, and may be utilized with, after or independently of other methods of service.''.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Assemblyman Stewart moved that Assembly Bill No. 124 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted and engrossed.

GENERAL FILE AND THIRD READING

Assembly Bill No. 400.

Bill read third time.

The following amendment was proposed by Assemblyman Dini:

Amendment No. 569.

Amend section 1, page 1, by deleting lines 1 and 2 and inserting:

"Section 1. NRS 650.020 is hereby amended to read as follows:

650.020 1. [Prior to] *Before* commencing business, each traveling merchant shall [take out] *obtain* a license from the [county license] *licensing* board of the county [wherein] *in which* he desires to transact [such business, and] *business. He* shall pay therefor the [sum of] *fee set by the board which must not exceed* $100 for each month or fraction thereof.

2. [A license shall authorize the purchaser thereof] *Such a license authorizes the licensee* to transact the business of traveling merchant within the county designated for the time mentioned therein.".

Amend the title of the bill, first and second lines, by deleting: "repealing the special restrictions on such merchants;" and inserting: "allowing the counties to set the fees for licensing;".

Amend the summary to read: "Allows counties to set fees for licensing traveling merchants.".

Assemblyman Jeffery moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 358; Senate Bills Nos. 81, 95, 116, 174; Senate Concurrent Resolution No. 30.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Martha Terrell and Mayme Edwards.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Michael Wilson, Robert Slaby and Ms. Lauretta Miller.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Teressa Tucker and Mariane Algo.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Diana Wilson.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sara Besser.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lucille Lusk and Lorraine Bailey.

On request of Assemblymen Dini and Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Hunnewell, Mr. Paul Hinz and eighth and ninth grade journalism students from E.C. Best Junior High School, Fallon, Nevada: Dana Aurrecoechea, Devon Borden, Rachel Dahl, Sheryl Hunnewell, Lance LeFever, Terri Moss, Amee Williams, Audrey Montooth, Christy Alberti, Julie Barnes, Kathy Buckmaster, Beth Czichotzki, Lisa Fritz, Iris Hoefer, Shelly Parrish and Natalie Wood.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Beverly Sharp and students from Elmcrest Elementary School, Reno, Nevada: Nichole Brazell, Peter Chiu, Deanna Clodio, Courtney Joustra, Amber Martinez, Cora Myhre, Joey Pileggi, Jacque Porter, Louis Scichilone, Amy Soper, Jenny Stevenson, Rikki Stewart, Richardo Uscola, Toby Vernon, Amanda Weeks, Beau Thompson, Alejandra Pacheco, Tiffany Tronier, Veronica Lopez, Tanya Jackson, Heather Hull, Jessica Lenon, Losh Hopwood and Richard Martin.

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Charles Waterman, Bob Smith and Ms. Leola Armstrong.

On request of Assemblyman Brady, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Joanna Cortez and Josephine Reising.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Beverly J. Duckett, Rita M. Russell, Mesdames John P. Kruse and Billie Dawson.

Assemblyman Brady moved that the Assembly adjourn until Friday, April 22, 1983, at 10:30 a.m.

Motion carried.

Assembly adjourned at 11:55 a.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-SIXTH DAY

CARSON CITY (Friday), April 22, 1983

Assembly called to order at 10:37 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present, except Assemblyman Perry, who was excused.
Prayer by the Chaplain, The Reverend Robert Wood.

Lord Our God, even at this moment, as we come to the end prayer, we are haunted by thoughts of duties unperformed and tasks unfinished. Our own strength is so feeble, and even our best efforts often seem to be a meaningless spinning of wheels. Lord, we are finding that without thee all we do is shallow and temporary. Let not our foolish pride and stubborn will keep us from confessing it. Help these who serve to accomplish that which is set before them. You know all of our deadlines as you know our deepest need. We cannot push you, for you will not be hurried, but only you can keep us from being pushed. So Lord, calm our troubled minds plagued with questions we cannot answer and responsibilities we cannot evade. Give to us the peace of thy presence and an untroubled heart, by the mercies of Christ, Our Lord.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 263, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 362, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 21, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 19, 139, 162, 308, 322.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 144, 156, 164, 190, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 13.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 28.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 304, 319.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Bourne:

Assembly Concurrent Resolution No. 29—Commending Washoe County's department of parks and recreation for planting trees in observance of Arbor Day.

WHEREAS, Arbor Day is observed every year by the State of Nevada on the last Friday in April; and

WHEREAS, On this day the people of this state plant trees, shrubs and vines to promote beautification of Nevada's landscape; and

WHEREAS, This year Washoe County's department of parks and recreation has organized a major project for planting trees at Rancho San Rafael Regional Park on Saturday, April 30, 1983, in observance of Arbor Day; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That Washoe County's department of parks and recreation be commended on its efforts to involve the community in this worthwhile project; and be it further

Resolved, That a copy of this resolution be prepared and transmitted by the legislative counsel to Mr. Gene Sullivan, director of Washoe County's department of parks and recreation.

Assemblyman Bourne moved the adoption of the resolution.

Remarks by Assemblyman Bourne.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Banner:

Assembly Bill No. 547—An Act relating to local governments; requiring separate line items in the budget for lobbying activities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 548—An Act relating to county fair and recreation boards; providing for the creation of boards of tourism in larger counties to replace fair and recreation boards; specifying the powers and duties of boards of tourism; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 549—An Act creating the Airport Authority of Lander County; making legislative findings and declarations; defining certain words and terms; providing for the appointment, number, terms, compensation, duties and powers of a board of trustees; specifying the powers of the authority, including the power to levy and collect general (ad valorem) taxes, borrow money and issue securities to evidence such

borrowing; requiring the transfer of airport properties, functions and outstanding obligations of Lander County to the authority; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 550—An Act relating to local improvements; empowering local governments to erect walls around residential subdivisions to secure them against vandalism and to defray the cost by means of special improvement districts; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 551—An Act relating to public administrators; allowing public administrators in small counties to secure execution of their duties with their official bonds to the extent of the bond; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Beyer and Nevin:

Assembly Bill No. 552—An Act relating to fire protection districts; extending the nature of harm for which liability may be incurred; extending the class of districts which may recover for the harm; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 304.

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

Motion carried.

Senate Bill No. 319.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 288.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 544.

Amend the bill as a whole by renumbering sections 1 and 2 as sections 3 and 4 and adding 2 new sections, designated sections 1 and 2, preceding section 1, to read as follows:

"Section 1. NRS 673.080 is hereby amended to read as follows:

673.080 1. The secretary of state shall not issue any certificate to an association or company authorizing it to do business until the articles of association, agreement or incorporation are approved by the commissioner.

2. No amendment to the articles of the organization may be filed by the secretary of state without the written approval of the articles by the commissioner.

3. No association may sell, offer for sale, negotiate for the sale of, take subscriptions for, or issue any of its [permanent] *common or preferred* stock until it has first applied for and secured from the commissioner approval of an application for permission to organize as provided for in this section.

4. (a) Persons who desire to organize an association under this chapter shall first execute in triplicate an application, in the form prescribed by the commissioner, for permission to organize an association before taking any other action in connection with the organization.

(b) Upon execution of an application for permission to organize by seven responsible citizens, referred to in this section as "applicants," the original and two copies of the application must be submitted to the commissioner. The applicants shall submit with their application the names and addresses of the applicants, the location of the proposed office, an itemized account of the financial condition of the proposed association and of the applicants, the amount and character of the proposed stock, statements, exhibits, maps and such additional information as the commissioner may require, together with an affidavit that the representations made thereby are consistent with the facts to the best of the applicants' information and belief. This data must be sufficiently detailed and comprehensive to enable the commissioner to pass upon the application as to:

(1) The character and responsibility of the applicants;

(2) The need for the association in the community to be served;

(3) The reasonable probability of its usefulness and success; and

(4) Whether or not such an association can be established without undue injury to any properly conducted existing savings and loan institutions.

(c) If the commissioner approves the application he shall, within 30 days, notify all associations within 100 miles of the community where the applicant intends to establish an association. Any association so notified may, within 20 days, protest in writing the granting of the application. Within 30 days after receipt by the commissioner of the written protest, the commissioner shall fix a date for a hearing upon the protest, and the hearing must be held not earlier than 30 days nor more than 60 days from the date of receipt of written notice by registered or certified mail by the parties.

(d) The commissioner shall approve or deny the application within

90 days from the date of the conclusion of the hearing and give all parties written notice of his decision on or before that date.

(e) If the commissioner approves the application, he shall establish as conditions to be met before the issuance of a charter requirements as to:

(1) The minimum number of shares of [permanent capital] *common or preferred* stock to be subscribed to the association's permanent capital, of which at least 75 percent in number of stockholders and dollar amount of capital must be subscribed by bona fide residents of the State of Nevada;

(2) The minimum amount of paid-in surplus;

(3) The minimum amount of investment certificates to be paid into the association's savings accounts upon issuance of a charter to it; and

(4) Such other requirements as he deems necessary or desirable.

Approval of an application for permission to organize an association does not in any manner obligate the commissioner to issue a charter, except that when all requirements of this chapter and of the commissioner have been fulfilled, he shall issue a charter.

(f) The charter expires 180 days after issuance, unless, within that time, the association has obtained insurance of accounts from the Federal Savings and Loan Insurance Corporation. The commissioner may, for good cause, extend the time of the conditional expiration of the charter for an additional period or periods not exceeding 360 days in the aggregate.

5. An association shall not sell or issue any of its permanent stock until it has first applied for and secured from the commissioner a license authorizing it to operate as a savings and loan association under the laws of this state and until it has applied for and secured insurance of accounts under the rules and regulations of the Federal Savings and Loan Insurance Corporation. This insurance of accounts must be maintained at all times.

6. The commissioner may extend the time for any hearing provided for in this section, to the time agreed upon by the parties.

7. Every application for permission to organize, as provided for in this section, must be accompanied by a fee of $500, which must be paid into the state general fund and no part of it may be refunded.

8. The commissioner may impose conditions requiring the impoundment of proceeds from the sale of any stock, limiting the expense in connection with the sale of stock, and such other conditions as are reasonable and necessary or advisable to insure the disposition of the proceeds from the sale of the stock in the manner and for the purposes provided in the permission to organize.

9. Every permission to organize issued by the commissioner shall recite in bold type that its issuance is permissive only and does not constitute a recommendation or endorsement of the organization or of the stock permitted to be issued.

10. Any corporation making application under this section or authorized to organize or authorized to establish a savings and loan association shall provide for a minimum par value of its permanent capital

stock of at least $1 in its articles of incorporation. Par value of permanent capital stock may not be reduced below $1 without written permission of the commissioner.

11. The removal of the home office or of any branch office of an association to any other location from its then-existing location requires prior approval of the commissioner. An application seeking approval must be delivered to the commissioner, together with a fee to cover expenses attendant upon the investigation required for the approval, which must be in an amount, not less than $100 nor more than $250, to be determined by the commissioner.

12. An association shall not pay any commissions or other compensation for the subscription to or sale of the original issue of its stock.

Sec. 2. NRS 673.250 is hereby amended to read as follows:

673.250 1. No association may sell or issue any of its [permanent] *common or preferred* stock until it has first applied for and secured from the commissioner a license authorizing it so to do as provided in NRS 673.080.

2. Every license must recite in bold type that the issuance of the license is permissive only and does not constitute a recommendation or endorsement of the stock permitted to be issued.

3. Before the sale of, or option to buy, any additional authorized but unissued [permanent capital] *common or preferred* stock, the association must have the written approval of the commissioner.

4. The commissioner may impose conditions requiring the impoundment of the proceeds from the sale of any stock, limiting the expense in connection with the sale and such other conditions as are reasonable and necessary or advisable to insure the disposition of the proceeds from the sale of the stock in the manner and for the purposes provided in the license.''.

Amend section 1, page 1, line 3, by deleting ''permanent'' and inserting: ''[permanent] *common stock and any preferred*''.

Amend section 1, page 2, by deleting lines 3 and 4 and inserting:

''2. No dividends [shall] *may* be declared on [permanent] *common or preferred* stock until the total of the [permanent] *common stock, preferred* stock, surplus, undivided profits and all''.

Amend section 1, page 2, lines 9 and 10, by deleting: ''permanent stock [shall be] *is*'' and inserting: ''[permanent stock shall be] *common stock and any preferred stock is*''.

Amend section 1, page 2, line 21, by deleting ''permanent'' and inserting: ''[permanent] *common or preferred*''.

Amend section 1, page 2, lines 23 and 24, by deleting ''*permanent*'' and inserting: ''*common stock and any preferred*''.

Amend the bill as a whole by renumbering sections 3 through 11 as sections 6 through 14 and adding a new section, designated section 5, preceding section 3, to read as follows:

''Sec. 5. NRS 673.275 is hereby amended to read as follows:

673.275 1. If the commissioner, as a result of any examination or from any report made to him, finds that the [permanent] *common or*

preferred stock of any association is impaired, he shall notify the association that the impairment exists and shall require the association to make good the impairment within 90 days after the date of the notice.

2. If the amount of the impairment as determined by the commissioner is questioned by the association, then upon application filed within 10 days after the notice from the commissioner that the impairment exists, the association [shall have the right to] *may* have the value of the assets in question be determined by appraisals made by independent appraisers acceptable to the commissioner and the association.

3. The directors of the association upon which the notice has been served shall levy a pro rata assessment upon the [permanent] *common and any preferred* stock to make good the impairment. They shall cause notice of the requirement of the commissioner and of the levy to be given in writing to each stockholder of the association, and the amount of assessment which he must pay for the purpose of making good the impairment. In lieu of making the assessment, the impairment may be made good, without the consent of the commissioner, by reduction of the [permanent] *common or preferred* stock. Any stockholder who does not make payment under such *an* assessment shall transfer sufficient stock to the association to pay his pro rata share of the assessment, and there [shall be] *is* no further liability to the stockholder.''.

Amend sec. 3, page 3, line 12, by deleting ''*thr*'' and inserting ''*the*''.

Amend sec. 4, page 3, line 15, by deleting ''1.'' and inserting ''[1.]''.

Amend sec. 4, page 3, line 16, by deleting ''(a)'' and inserting ''[(a)] *1.*''.

Amend sec. 4, page 3, line 18, by deleting ''(b)'' and inserting ''[(b)] *2.*''.

Amend sec. 4, page 3, line 20, by deleting ''(c)'' and inserting ''[(c)] *3.*''.

Amend sec. 4, page 3, line 22, by deleting ''(d)'' and inserting ''[(d)] *4.*''.

Amend sec. 4, page 3, line 24, by deleting ''(e)'' and inserting ''[(e)] *5.*''.

Amend sec. 4, page 3, line 26, by deleting ''(f)'' and inserting ''[(f)] *6.*''.

Amend sec. 4, page 3, line 29, by deleting ''(g)'' and inserting ''[(g)] *7.*''.

Amend sec. 4, page 3, line 32, by deleting ''(h)'' and inserting ''[(h)] *8.*''.

Amend sec. 4, page 3, line 36, by deleting ''(i)'' and inserting ''[(i)] *9.*''.

Amend sec. 4, page 3, line 40, by deleting ''(j)'' and inserting ''[(j)] *10.*''.

Amend sec. 4, page 3, line 43, by deleting ''(k)'' and inserting ''[(k)] *11.*''.

Amend sec. 4, page 4, by deleting lines 1 through 3.

Amend sec. 4, page 4, line 4, by deleting ''2. [An'' and inserting ''[2. An''.

Amend sec. 4, page 4, line 28, by deleting the bracket.

Amend sec. 4, page 4, line 36, after "commissioner." and inserting "]

12. Any other investment at the discretion of the association's directors, if after the investment is made, the association's accounts remain insurable by the Federal Savings and Loan Insurance Corporation.".

Amend the bill as a whole by renumbering sections 12 and 13 as sections 16 and 17 and adding a new section, designated section 15, preceding section 12, to read as follows:

"Sec. 15. NRS 673.590 is hereby amended to read as follows:

673.590 1. Whenever, in the case of any association which has issued [permanent] *common or preferred* stock, the commissioner or the Federal Savings and Loan Insurance Corporation has fully liquidated all claims other than claims of the stockholders, and has made due provision for all known or unclaimed liabilities, excepting claims of [permanent] stockholders, and has paid all expenses of liquidation, the commissioner shall call a meeting of the stockholders of the savings and loan association.

2. Notice of the meeting shall be given by:

(a) Five publications in a 30-day period in one or more newspapers published in the county in which the principal office of the association is located; and

(b) Letter to each stockholder mailed to his last-known address.

3. At the meeting the commissioner shall deliver to the stockholders all the property and effects of the association remaining in his possession except its records, which [shall] *must* be retained by him as part of the records of his office. Upon transfer and delivery he [shall be] *is* discharged from any further liability to the association or its creditors, and thereafter the association [shall be] *is* in the same position as though it had never been authorized to transact a savings and loan business.".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 386.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 392.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 541.

Amend section 1, page 1, line 10, after "*person.*" by inserting: "*This itemized billing must be provided at no additional cost and the hospital shall answer any questions regarding the bill.*".

Assemblyman Sedway moved the adoption of the amendment.

Remarks by Assemblyman Sedway.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 442.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 451.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 468.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 560.

Amend section 1, page 1, line 6, after "commissioners" by inserting: "*or the election by the people*".

Amend sec. 2, page 2, line 10, by deleting "*a*" and inserting "*an appointive*".

Amend sec. 2, page 2, by inserting after line 26:

"*3. If the town board is made elective after June 30, 1983, the ordinance creating it must provide for the division of the first elected board by lot into two classes whose terms will correspond to those provided in subsection 1.*".

Amend sec. 3, page 2, line 29, by deleting "1985, appoint" and inserting "1985:

1. Appoint".

Amend sec. 3, page 2, by inserting after line 32:

"2. Provide for the division of an elective town board by lot into two classes as provided in subsection 3 of section 2 of this act.".

Amend the title of the bill, second line after "boards;" by inserting: "authorizing the election of those boards;".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 514.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 515.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 28.

Resolution read second time, ordered engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 214, 287, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

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

Assembly in recess at 10:54 a.m.

ASSEMBLY IN SESSION

At 10:55 a.m.
Mr. Speaker presiding.
Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 553—An Act relating to veterinary medicine; allowing lay teachers to instruct stockmen in practical veterinary skills; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 265.

Bill read third time.

Remarks by Assemblymen Collins, Chaney and Swain.

Assemblyman Bourne requested that the following remarks be entered in the Journal:

ASSEMBLYMAN COLLINS:

The bill is self-explanatory. It speaks for itself. It is a reprint of Assembly Bill No. 99, which we know had a fiscal impact on the State. Assembly Bill No. 265 is something that we all can live with. It does not have any impact at all. Your Committee on Government Affairs recommended a Do Pass of this bill.

If I may, Mr. Speaker, elaborate just for a moment, and I know today is Friday so I am going to keep it short. Today we are about to embark upon history for the State of Nevada. For the first time a western state, that is, west of the Mississippi, will also honor one of it's leaders. And I just wanted to say that today is a day of reckoning because it is something that we all will rectify today and in the days to come.

ASSEMBLYMAN CHANEY:

I would like to rise in support of Assembly Bill No. 265. I certainly feel that it is not what we had originally hoped for. I do feel that it is important that we support this bill because at this time we realize that it is almost impossible to have our wish that we would receive a holiday in memory of Dr. King's birthday. I think that it is important that we recognize that what we are doing is equally important. The bill indicates some of the things that will happen on that day. The school districts will remind the young folk of the kind of man Dr. King was and what he stood for. I think that by doing this, it will put our State in the bracket with those that have already recognized the fact that Dr. King was a great humanitarian. He did not waste his life trying to build an empire for himself, but he fought for those of us who needed help, minorities. He would rather assist us.

In summary, I would like to say that I think this would be a great time that we all remember. It wasn't one of the last speeches, but in one of his speeches he indicated that he would like to one day see that all of God's children would join hands together and live out the true meaning of the creed of this Country, where all men were created equal. I think that this is a giant step for the State of Nevada, that we recognize the fact that Dr. King was here and what he stood for and that it is a fact that we can achieve equality in this country without violence. I think that this body should pass this bill.

Assemblyman Chaney requested that Assemblyman Swain's remarks be entered in the Journal:

Mr. Speaker, I, too, rise in support of this. It is high time that we recognize the fact that Martin Luther King was, in fact, a great American and honor him as such. I can only say that I am sorry that this is not going to be a State holiday. I understand the reasons for that, so I will settle for a memorial day.

Roll call on Assembly Bill No. 265:

YEAS—41.
NAYS—None.
Absent—Perry.

Assembly Bill No. 265 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Assemblyman Collins moved that all rules be suspended and that Assembly Bill No. 265 be immediately transmitted to the Senate.

Motion carried unanimously.

Assembly Bill No. 315.
Bill read third time.
Remarks by Assemblyman Schofield.
Roll call on Assembly Bill No. 315:

YEAS—41.
NAYS—None.
Absent—Perry.

Assembly Bill No. 315 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Price moved that Senate Bill No. 170 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 170.
Bill read third time.
Remarks by Assemblymen Price, May and Sedway.
Roll call on Senate Bill No. 170:

YEAS—39.
NAYS—Sedway, Zimmer—2.
Absent—Perry.

Senate Bill No. 170 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 326.
Bill read third time.
Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 326:

YEAS—40.
NAYS—Bourne.
Absent—Perry.

Assembly Bill No. 326 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 365.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 365:

YEAS—41.
NAYS—None.
Absent—Perry.

Assembly Bill No. 365 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 375.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Assembly Bill No. 375:

YEAS—40.
NAYS—None.
Absent—Perry.
Not voting—Coffin.

Assembly Bill No. 375 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 376.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 376:

YEAS—41.
NAYS—None.
Absent—Perry.

Assembly Bill No. 376 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 399.

Bill read third time.

Remarks by Assemblyman Bourne.

Roll call on Assembly Bill No. 399:

YEAS—39.
NAYS—None.
Absent—Perry.
Not voting—Bremner, Coffin—2.

Assembly Bill No. 399 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 402.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 402:

YEAS—41.
NAYS—None.
Absent—Perry.

Assembly Bill No. 402 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 409.

Bill read third time.

Remarks by Assemblymen Nevin, Dini, Stewart and Sader.

Assemblyman Stewart moved that Assembly Bill No. 409 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stewart.

Motion carried.

Assembly Bill No. 424.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Assembly Bill No. 424:

YEAS—41.
NAYS—None.
Absent—Perry.

Assembly Bill No. 424 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 425.

Bill read third time.

Remarks by Assemblyman Zimmer.

Roll call on Assembly Bill No. 425:

YEAS—41.
NAYS—None.
Absent—Perry.

Assembly Bill No. 425 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 20.

Resolution read third time.

Remarks by Assemblyman Craddock.

Roll call on Assembly Joint Resolution No. 20:

YEAS—41.

NAYS—None.

Absent—Perry.

Assembly Joint Resolution No. 20 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 136, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 22, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 469.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 289.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 289.

Assemblyman Dini moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Dini.

Motion carried unanimously.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Senate Bill No. 289 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 289.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 289:

YEAS—41.
NAYS—None.
Absent—Perry.

Senate Bill No. 289 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and that Assembly Bills Nos. 315, 326, 365, 375, 376, 399, 402, 424, 425; Assembly Joint Resolution No. 20; Senate Bills Nos. 170 and 289 be immediately transmitted to the Senate.

Motion carried unanimously.

Assemblyman Jeffrey moved that Senate Bills Nos. 111, 127, 191, 264 and 265 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 164.

The following Senate amendments were read:

Amendment No. 485.

Amend sec. 5, page 2, by deleting line 34 and inserting:

"Sec. 5. 1. The provisions of section 4 of this act apply to any contracts entered into on or after July 1, 1983.

2. The provisions of sections 1 to 3, inclusive, of this act apply to loans or retail install-".

Amend sec. 6, page 2, by deleting line 36 and inserting:

"Sec. 6. 1. This section and sections 4 and 5 of this act shall become effective on July 1, 1983.

2. Sections 1 to 3, inclusive, of this act shall become effective on July 1, 1984.".

Amendment No. 398.

Amend the bill as a whole by renumbering sections 1 and 2 as sections 3 and 4 and adding new sections designated sections 1 and 2, preceding section 1, to read as follows:

"Section 1. NRS 97.225 is hereby amended to read as follows:

97.225 *1.* Notwithstanding the provisions of any retail installment contract to the contrary, and if the rights of the purchaser have not been terminated or forfeited under the terms of the contract, any buyer may prepay in full the unpaid time balance thereof at any time before its final due date and, if he does so, and if the contract is not in default under any term or condition of the contract more than 2 months, he [shall receive] *is entitled to* a refund [credit] of the unearned portion of the time price differential for [such] *the* prepayment. The amount of [such refund credit shall represent] *the refund must be* at least as

great a proportion of the original time price differential, after deducting therefrm a minimum charge of not [to exceed] *more than* $25, as the sum of the [monthly or lesser] periodic time balances *for each period* beginning 1 [month or lesser] period after *the* prepayment is made bears to the sumif all the [monthly or lesser] periodic time balances under the schedule of payments in the contract. Where the amount of [such] *the* refund [credit] is less than $1, no refund need be made.

2. This section does not preclude the imposition of any penalty for prepayment to which the parties may agree when the contract is executed.

Sec. 2. NRS 97.255 is hereby amended to read as follows:

97.255 *1.* The time price differential [shall be inclusive of] *includes* all charges incident to investigating and making the retail installment contract or charge agreement and for the privilege of making the installment payments thereunder . [and no other fee, expense or charge whatsoever shall be taken, received, reserved or contracted therefor.]

2. This section does not preclude the imposition of any other fee, expense or charge provided for in this chapter to which the parties may agree.''.

Amend sec. 3, page 2, by deleting lines 1 through 13 and inserting:

''Sec. 5. The provisions of this act apply to loans or retail installment transactions entered into on or after July 1, 1984.''.

Amend sec. 4, page 2, line 14, by deleting ''4.'' and inserting ''6.''.

Amend sec. 4, page 2, line 14, by deleting ''January'' and inserting ''July''.

Amend the title of the bill, second line, after ''loans;'' by inserting: ''allowing the compounding of interest; allowing the imposition of a penalty for the prepayment of retail installment transactions;''.

Amend the summary of the bill to read as follows: ''Makes various changes to provisions relating to interest rates for loans.''.

Assemblyman Jeffrey moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 164.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 11:45 a.m.

ASSEMBLY IN SESSION

At 11:53 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce:

Assembly Bill No. 554—An Act relating to nurses; providing

additional grounds for disciplinary action; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Resolution No. 14.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Shirley Sousa and Mr. Wyatt Hamilton.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. George Binney.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. William Hammond and Frank Sain.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, April 25, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 11:54 a.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE NINETY-NINTH DAY

CARSON CITY (Monday), April 25, 1983

Assembly called to order at 11:03 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Robert H. Schwartz.

Dear Lord, we say the snows this year have been unusual. We say the economic times that confront and confound us are unusual. We say that the legislative tasks we face are uncommonly rare. But we also know, Lord, that in all times, the usual and the unusual, the normal and the extraordinary, that you faithfully inspire and lead us to do our best. You guide us past discussing and analyzing to fruitful action. Be our guide this day.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 28, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, JR., *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 233, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 411, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 192, 318, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 22, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 48 and requests a conference, and appointed Senators Glover, Jacobsen and Townsend as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 270.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 31.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker pro Tempore appointed Assemblymen Marvel, Sader and Bilyeu as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 48.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Bergevin, Bremner, Malone, Getto, Price, May, Stewart, Jeffrey, Bilyeu, Brady, Joerg, Nicholas, Thomas, Zimmer, Francis, Craddock, Vergiels, Swain, Berkley, Ham, Kovacs, Bourne, Nevin, Fay, Bogaert, Stone, Collins, Redelsperger, Perry, Thompson, DuBois, Dini, Humke, Chaney, Sedway, Beyer, Coffin, Schofield, Sader, Banner and Kerns:

Assembly Concurrent Resolution No. 30—Memorializing the late Louise M. Marvel.

WHEREAS, This legislature was deeply saddened to hear that Louise M. Marvel, matriarch of a Nevada family who developed one of Nevada's largest cattle and sheep operations, died February 24, 1982, at the age of 82; and

WHEREAS, Louise Marvel, born August 2, 1899, was a lifetime resident of Battle Mountain, Nevada; and

WHEREAS, Her father, W. T. Jenkins, an immigrant from Wales, began ranching in the 1870's and when he died in 1901, Mrs. Marvel's mother continued the operation until her death in 1919; and

WHEREAS, That year the 20-year-old Louise Marvel and her husband, the late Ernest "Cap" Marvel, took over the development of the ranch and later with the help of their three sons, John, Richard and Thomas, eventually enlarged it to about 278,000 acres which included portions of Lander, Elko, Humboldt, Eureka and Pershing counties; and

WHEREAS, In 1962, Mrs. Marvel became the only woman to ever receive the distinction of being named "Cattleman of the Year," by the Nevada Cattlemen's Association; and

WHEREAS, She was also honored by the University of Nevada in 1966 as a "Distinguished Nevadan," listed in "Who's Who In The West" and "Who's Who In American Women"; and

WHEREAS, Mrs. Marvel was a member of the state parks commission and the St. Andrews Episcopal Church, founded by her mother; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That this legislature extends its condolences to the surviving family which along with her sons includes 12 grandchildren and 25 great-grandchildren; and be it further

Resolved, That a copy of this resolution be transmitted by the legislative counsel to Mrs. Marvel's surviving sons.

Assemblyman Bilyeu moved the adoption of the resolution.

Remarks by Assemblymen Bilyeu and Marvel.

Assemblyman Marvel requested that the following remarks be entered in the Journal:

ASSEMBLYMAN BILYEU:

I did not have the privilege of knowing Louise Marvel well, but she was a person who was well-known in not only northern and northeastern Nevada, but throughout the State. She was that rare combination of being both a gracious lady and she came from tough pioneer stock. She was active, she was a credit to the State and she was certainly a multi-dimensioned person. I would recommend to the Assembly the adoption of this resolution in honor of this most outstanding woman who served the State and her family so well.

ASSEMBLYMAN MARVEL:

Thank you, Mr. Speaker pro Tempore, and thank you, Mr. Bilyeu. This certainly is quite an honor and tribute in memory of Louise Marvel. Not only was she a wonderful mother, a wonderful grandmother, a wonderful great grandmother, an astute businesswoman, a friend to many, many people, who I run into every day, but above all, she was truly a lady.

Resolution adopted unanimously.

Senate Concurrent Resolution No. 31.

Assemblyman Stewart moved the adoption of the resolution.

Remarks by Assemblyman Stewart.

Resolution adopted unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill No. 151, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 346, 540, Senate Bill No. 348, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 183, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Senate Bills Nos. 27, 285, 294, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Labor and Management:

Assembly Bill No. 555—An Act relating to industrial insurance; abolishing fixed terms for appeals officers; terminating the terms of the current appeals officers; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By Assemblymen Dini, Jeffrey and Stewart:

Assembly Bill No. 556—An Act relating to fictitious names; requiring biennial filing of a certificate listing the names of persons doing business under a fictitious name; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 270.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 136.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 571.

Amend section 1, page 1, line 2, by deleting "whcih" and inserting "which".

Amend sec. 3, page 2, by deleting lines 17 through 25 and inserting:

"677.340 1. No person doing business under the [authority of any] law of [this] *:*

(a) Any other state *;* or [of the United States]

(b) The United States if the principal office of the business is not located in Nevada,

relating to banks, [savings banks, trust companies,] savings and loan associations [, credit unions] or persons licensed under chapter 675 of NRS is eligible to become a licensee under this chapter [, nor does this chapter] . *This chapter does not* apply to any business transacted by any such person under the authority of and as permitted by any such law. [A] *This section does not prohibit a licensee or a person owning an interest in a licensee from obtaining a license or owning an interest in a corporation licensed under chapter 659 or 673 of NRS.*

2. *Except as provided in subsection 3, a* subsidiary of a parent corporation [one] *:*

(a) One or more of whose other subsidiaries is engaged in any of the activities listed in [this] subsection *1; or*

(b) Whose parent corporation is prohibited from obtaining a license under this chapter,

is not eligible to be licensed under this chapter.

Amend sec. 3, page 2, line 41, after the bracket by inserting:

"*3. Subsection 2 does not apply to a bank which is doing business*

under the law of the United States if its principal office is located in Nevada.''.

Amend sec. 6, page 4, by deleting line 18 and inserting:

''1. Make loans [in the amount of $3,500 or more] secured by, and''.

Amend sec. 6, page 4, by deleting lines 25 and 26 and inserting:

''(f) Leases; [and]

(g) Lien contracts [.] *; and*

(h) Deeds of trust.''.

Amend sec. 6, page 4, by inserting after line 36:

''*3. Enter into leases and purchase equipment for those leases.*''.

Amend the bill as a whole by adding new sections, designated sections 7 and 8, following section 6, to read as follows:

''Sec. 7. The amendatory provisions contained in section 3 of this act do not apply to any thrift company or its parent corporation which is licensed pursuant to chapter 677 of NRS before the effective date of this act.

Sec. 8. This act shall become effective upon passage and approval.''.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 362.

Bill read second time.

The following amendment was proposed by Assemblyman Coffin:

Amendment No. 401.

Amend section 1, page 1, line 3, after ''*is a*'' by inserting: ''*United States citizen or a*''.

Amend section 1, page 1, line 4, by deleting ''*that*'' and inserting ''*a*''.

Amend section 1, page 1, line 11, by deleting ''*his*'' and inserting ''*that*''.

Amend section 1, page 1, line 12, after ''*issued*'' by inserting ''*a set of*''.

Amend section 1, page 2, line 5, after ''*countries.*'' by inserting: ''*The department shall include on the form for application a notice to the applicant that the issuance of such license plates does not confer any diplomatic immunity.*''.

Assemblyman Coffin moved the adoption of the amendment.

Remarks by Assemblyman Coffin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 214.

Bill read second time and ordered to third reading.

Senate Bill No. 263.

Bill read second time and ordered to third reading.

Senate Bill No. 287.

Bill read second time and ordered to third reading.

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

Assembly in recess at 11:20 a.m.

ASSEMBLY IN SESSION

At 11:21 a.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 191, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

PAUL W. MAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Joerg moved that Assembly Bill No. 400 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Joerg.

Motion carried.

Assemblyman Dini moved that Assembly Bill No. 192 be placed on the Second Reading File.

Remarks by Assemblyman Dini.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 339.

Bill read third time.

Remarks by Assemblyman Berkley.

Roll call on Assembly Bill No. 339:

YEAS—42.

NAYS—None.

Assembly Bill No. 339 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 386.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 602.

Amend section 1, page 1, line 3, by deleting "[fund] *account*" and inserting "account".

Amend section 1, page 1, line 11, by deleting: ". [as provided by law.]" and inserting a Roman period.

Amend section 1, page 1, lines 15 and 16, by deleting "[fund,] *account,*" and inserting "account,".

Amend section 1, page 1, line 19, by deleting "[fund,] *account,*" and inserting "account,".

Amend section 1, page 2, lines 1 and 2, by deleting "[fund] *account*" and inserting "account".

Amend section 1, page 2, line 3, by deleting "[fund.] *account.*" and inserting "account.".

Amend section 1, page 2, line 5, by deleting "[fund] *account*" and inserting "account".

Amend the bill as a whole by adding a new section, designated section 3, following section 2, to read as follows:

"Sec. 3. Section 1 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Amend the title of the bill, second line, by deleting "renaming the fund;".

Amend the summary of the bill by deleting "Renames and reduces" and inserting "Reduces".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 442.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Assembly Bill No. 442:

YEAS—42.

NAYS—None.

Assembly Bill No. 442 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 451.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 451:

YEAS—42.

NAYS—None.

Assembly Bill No. 451 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 514.

Bill read third time.

Remarks by Assemblymen Jeffrey, Bremner, Getto, Stone, Malone and Bilyeu.

Conflict of interest declared by Assemblyman Dini.

Roll call on Assembly Bill No. 514:

YEAS—40.

NAYS—Stewart.

Not voting—Dini.

Assembly Bill No. 514 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 515.

Bill read third time.

Remarks by Assemblyman Bilyeu.

Roll call on Assembly Bill No. 515:

YEAS—42.

NAYS—None.

Assembly Bill No. 515 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 28.

Resolution read third time.

Remarks by Assemblyman Malone.

Roll call on Assembly Joint Resolution No. 28:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 28 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 111.

Bill read third time.

Remarks by Assemblyman Ham.

Roll call on Senate Bill No. 111:

YEAS—42.

NAYS—None.

Senate Bill No. 111 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 127.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Senate Bill No. 127:

YEAS—42.

NAYS—None.

Senate Bill No. 127 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 191.
Bill read third time.
Remarks by Assemblymen Bilyeu, Stone, Fay, Nevin, Swain, Stewart and Malone.
Roll call on Senate Bill No. 191:
YEAS—33.
NAYS—Banner, Bogaert, Chaney, Collins, Dini, Fay, Stone, Swain, Thompson—9.
Senate Bill No. 191 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 206.
Bill read third time.
Remarks by Assemblyman Bilyeu.
Roll call on Senate Bill No. 206:
YEAS—42.
NAYS—None.
Senate Bill No. 206 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 229.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Senate Bill No. 229:
YEAS—42.
NAYS—None.
Senate Bill No. 229 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

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

Assembly in recess at 11:58 a.m.

ASSEMBLY IN SESSION

At 12:06 p.m.
Mr. Speaker presiding.
Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 192.
Bill read second time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 564.
Amend section 1, page 1, by deleting lines 1 through 18 and inserting:
"Section 1. NRS 477.120 is hereby amended to read as follows:

477.120 *1.* The owner or operator of any building, except a single-family detached dwelling, shall:

[1.] *(a)* Equip every exit corridor and other means of exit with emergency lighting of a type approved by the authority which permits the safe evacuation of the building.

[2.] *(b)* Equip every door to an exit corridor which serves 30 or more occupants with a device, approved by the authority, which closes the door.

[3. Immediately]

(c) Except as otherwise provided by the authority, immediately provide adequate facilities for exit.

[4.] *(d)* If the building has three stories or more, enclose every open stairway or vertical shaft with:

[(a)] *(1)* Construction whose resistance to fire has been approved by the authority; or

[(b)] *(2)* Alternate means approved by the authority which afford equivalent protection to life and property from fire.

2. In determining whether to approve a device which closes a door, the authority shall give special consideration to a request by a health and care facility regarding the devices used to close the doors to patients' rooms and consider, at least:

(a) The current design of applicable equipment;

(b) The preference of the local fire service;

(c) The size and duties of the staff of the facility; and

(d) Any resulting hardship to the owner or operator.

3. Upon a showing of practical difficulty or unnecessary hardship, the authority may allow an exception to the requirement of paragraph (c) of subsection 1 if it is clearly evident that the safe evacuation of the building will not be hindered thereby. When such an exception is allowed, the authority shall record the details of and reasons for the exception.''.

Amend the bill as a whole by adding new sections, designated sections 2 through 4, following section 1, to read as follows:

''Sec. 2. NRS 477.190 is hereby amended to read as follows:

477.190 [The] *1. Except as otherwise provided in subsection 3, the* board of fire safety shall:

[1.] *(a)* Hear and decide requests for variances from the provisions of NRS 477.110 to 477.160, inclusive, and requests for permission to undertake alternate methods of achieving substantial compliance with those provisions ; and

[2.] *(b)* Review local ordinances which require stricter standards than those required by NRS 477.110 to 477.160, inclusive, for retrofitting of buildings and recommend to the state board of examiners whether the ordinances should be approved.

2. In determining whether to grant such a variance, the board of fire safety shall consider whether the building is in a historic district or is a historic place. If it is, the board may identify alternate methods of achieving substantial compliance with NRS 477.110 to 477.160, inclusive.

3. In counties whose population is 100,000 or more, the state fire marshal shall perform the duties listed in subsection 1 with regard to school buildings. The board of fire safety shall hear and decide any appeal from his decision.

4. For the purpose of this section, the term:

(a) "Historic district" includes the Comstock historic district and any historic district designated by a board of county commissioners.

(b) "Historic place" means a site or structure on public or private property which has been placed in the state register of historic places or the National Register of Historic Places or has been certified as a place with historical significance by the administrator of the division of historic preservation and archeology of the department of conservation and natural resources.

Sec. 3. NRS 477.200 is hereby amended to read as follows:

477.200 1. A person may request a variance from the provisions of NRS 477.110 to 477.160, inclusive, by filing a petition with the board of fire safety.

2. Within 30 days after receiving a petition, the board shall grant the petitioner a hearing and, upon a showing that existing features or alternate methods achieve substantial compliance with those provisions and that complete compliance will not significantly further the safety of persons in the building, may grant a variance. *Upon showing of practical difficulty or unnecessary hardship, the board may grant such a variance if, even with the variance, the persons in the building will be reasonably safe.* The board shall issue its order within 30 days after the hearing.

3. When such a variance is granted, the board shall record the details of and reasons for the variance.

Sec. 4. Section 13 of chapter 659, Statutes of Nevada 1981, at page 1571, is hereby amended to read as follows:

Sec. 13. 1. Each authority as defined in section 2 of this act shall, within 12 months after the effective date of this act, complete a survey of each building within its jurisdiction subject to the provisions of sections 3 to 8, inclusive, of this act.

2. When the authority completes its survey of a building, it shall immediately furnish a copy of the survey to the owner or operator of the building.

3. The owner or operator shall:

(a) Furnish to the authority within 6 months after receiving the copy of the survey his plans to effect the corrections identified by the survey as necessary for compliance with sections 3 to 8, inclusive, of this act.

(b) Make all of those corrections within 36 months after the effective date of this act.

4. The board of fire safety may waive the times prescribed in this section for:

(a) Completion of surveys by a responsible authority; and

(b) Submission of plans or completion of work, or both, by an owner or operator,

if the applicant for the waiver demonstrates *a financial hardship or* an

appropriate effort and a genuine inability to comply within the time prescribed.

5. The board of fire safety shall establish criteria for determining whether to waive the times prescribed in this section because of financial hardship. A waiver which is allowed because of financial hardship must require compliance within 2 years after the time prescribed in this section. The applicant shall submit a schedule for such compliance. The board may amend the schedule.

6. The board of fire safety shall issue its decision regarding a request for such a waiver within 30 days after the hearing on the application.''.

Amend the title of the bill by deleting the second and third lines and inserting: ''allowing the board of fire safety to consider the historical value of a building in granting variances; making various other changes; and providing other matters properly relat-''.

Amend the summary of the bill to read as follows: ''Makes various changes regarding requirements to enhance fire safety.''.

Assemblyman Kerns moved the adoption of the amendment.

Remarks by Assemblyman Kerns.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Coffin, Sedway, Bremner, Thompson, Zimmer, Berkley, Swain, Ham, Kovacs, Vergiels, Perry, Dini, Marvel, Chaney, Humke, Stewart, Jeffrey, Malone, Fay, Francis, May, Craddock, Price, Schofield and Brady:

Assembly Bill No. 557—An Act relating to assistance for victims of rape; requiring certain counties to appropriate a percentage of the fees from marriage licenses to organizations which aid victims of rape; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 558—An Act relating to racing; removing, for a specified period, the minimum number of days of horse racing as a condition for a license to conduct greyhound racing; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Remarks by Assemblyman Stewart.

Assemblyman Stewart moved that Assemblyman Jeffrey's motion be amended and that the bill be referred to the Committee on Judiciary.

Remarks by Assemblymen Stewart and Jeffrey.

Assemblymen Stewart, Malone and Nevin requested a roll call on Assemblyman Stewart's motion.

Roll call on Assemblyman Stewart's motion:

YEAS—18.

NAYS—Banner, Bogaert, Bourne, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Getto, Jeffrey, Joerg, Marvel, May, Perry, Price, Redelsperger, Schofield, Sedway, Thomas, Thompson, Mr. Speaker—24.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

Assemblyman Jeffrey's motion carried.

By Assemblymen Chaney, Price, Collins, Jeffrey, Thompson, Dini, Redelsperger, Humke, Berkley, Craddock, Kerns, Bilyeu, Francis, Joerg, Sedway, DuBois, Nicholas, Brady, Schofield, Beyer, Thomas, Coffin, Zimmer, Swain, Perry, Nevin, Banner, Ham, Stone, Bremner, Bergevin, Bogaert, Fay, Vergiels and Malone:

Assembly Bill No. 559—An Act relating to public works; requiring a contractor from another state who performs a public work in Nevada to hire a percentage of Nevada employees if qualified and available; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Commerce.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 31—Directing the legislative commission to study zoning problems resulting from placement of manufactured homes on residential lots.

Assemblyman Dini moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assemblyman Stewart moved that Senate Bills Nos. 264 and 265 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 19, 139, 162, 308, 322, 469; Senate Bills Nos. 204, 219, 244, 253, 267, 269; Assembly Joint Resolution No. 13; Assembly Concurrent Resolution No. 28.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Tom Marvel, Bobby Andreasen, Mesdames Rosita Marvel, Sharon Andreasen, Willie Marvel, Ms. Marsha Grant, Amber Andreasen and Shari Andreasen.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Sam Bourn and Ms. Betsy Bourn.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, April 26, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:20 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDREDTH DAY

CARSON CITY (Tuesday), April 26, 1983

Assembly called to order at 11:03 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Robert H. Schwartz.

Time, Lord. How conscious we are of time. Especially too little time and too much to do. Rush and hurry are the words of the day. Everyone's in a hurry for an answer. Everyone is in a rush for action and they want it now. How much easier it would be, Lord, to race through our responsibilities just to get them out of the way rather than to work them through carefully to a responsible conclusion. Help us not just to do a job but to do it well. We'll be living with the results of these labors for years, so enable us to labor well.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which were referred Senate Bill No. 140; Assembly Joint Resolution No. 29, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 522, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 449, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Taxation.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 507, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 24, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

EDWARD J. KOVACS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 44, 245, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 25, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 328.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 252, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 46 and requests a conference, and appointed Senators Bilbray, Foley and Ryan as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 189 and requests a conference, and appointed Senators Wilson, Foley and Wagner as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 29.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 283, 298.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 161, 292, 295.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Stewart, Bilyeu and Swain as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 46.

Mr. Speaker appointed Assemblymen Stewart, Nevin and Collins as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 189.

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 24.

Assemblyman Kovacs moved the adoption of the resolution.

Remarks by Assemblyman May.

Resolution adopted unanimously.

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 32—Commending the Nevada Library Association for the fine job done by the "legislative hotline."

WHEREAS, The "legislative hotline" was initially created by the Nevada Library Association in 1975 in an attempt to inform local libraries of current issues in the legislature; and

WHEREAS, In 1981 the service was opened to the public and some 5,500 inquiries were handled during that legislative session; and

WHEREAS, The public has begun to rely on the "legislative hotline" for the latest information on the legislature; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That members of the 62nd session of the legislature of the State of Nevada hereby commend the employees who work on the "legislative hotline" for their professionalism and courtesy and the Nevada Library Association for providing this invaluable service to the citizens of Nevada; and be it further

Resolved, That a copy of this resolution be prepared and transmitted forthwith by the legislative counsel to Joan Kirschner, assistant state librarian.

Assemblyman Kovacs moved the adoption of the resolution.

Remarks by Assemblyman Dini.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 560—An Act relating to taxation; temporarily increasing the rate of the casino entertainment tax; imposing a temporary tax on other admissions and on dues paid to certain organizations and providing for its rate, collection and enforcement; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 561—An Act relating to parole; creating a legislative committee to study the abolition of parole and providing for its organization, powers and duties; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 562—An Act relating to testamentary trusts; excluding corporate trustees from the requirement that trustees file intermediate accounts; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Stewart:

Assembly Bill No. 563—An Act relating to estates; changing certain provisions of law on property affected by declared homesteads, on wills and administration of decedents' estates, and on support of a decedent's family; providing for durable powers of attorney; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 161.

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

Motion carried.

Assemblyman Nicholas moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:15 a.m.

ASSEMBLY IN SESSION

At 11:24 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 283.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 292.

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

Motion carried.

Senate Bill No. 295.

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

Motion carried.

Senate Bill No. 298.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 564—An Act relating to optometry; eliminating licensing of optometrists by reciprocity; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By Assemblymen Berkley, Vergiels, Schofield, Nicholas, Humke, Chaney, Thompson, Beyer, Bogaert, Malone, Coffin, Swain, Thomas, May, Nevin, Fay, Perry, Sedway, Sader, Stewart, Getto, Price and Stone:

Assembly Bill No. 565—An Act relating to landlord and tenant; making various substantive and procedural changes to the applicable law; removing an exemption for landlords having fewer than seven

dwellings; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Berkley moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Economic Development, Tourism and Mining:

Assembly Bill No. 566—An Act relating to the business of performing assays; regulating the business; creating the board of examiners for assayers and providing its organization, powers and duties; providing for licensing and disciplinary actions; providing penalties; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Economic Development, Tourism and Mining.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 567—An Act relating to libraries; requiring a specific levy of a tax ad valorem for the support of libraries in certain counties; providing for the distribution of the proceeds of the tax; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 568—An Act relating to cosmetology; making various administrative changes and changes in requirements for licenses; increasing certain fees; imposing new fees; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bill No. 490; Senate Bill No. 249, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Bremner moved that the Assembly do not recede from its action on Senate Bill No. 168, that a conference be requested, and that Mr. Speaker appoint a first Committee on Conference consisting of three members to meet with a like committee of the Senate.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Thompson, Sader and DuBois as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 168.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 156.

The following Senate amendments were read:

Amendment No. 500.

Amend section 1, page 1, by deleting lines 12 through 14 and inserting:

"*(b) The intermediate emergency medical technician, the advanced emergency medical technician-ambulance or the registered nurse who is in charge of the controlled substances in the ambulance is, respectively, appropriately certified by the health division or licensed*".

Amend sec. 2, page 2, by deleting lines 8 through 10 and inserting:

"*(b) The intermediate emergency medical technician, the advanced emergency medical technician-ambulance or the registered nurse who is in charge of the dangerous drugs in the ambulance is, respectively, appropriately certified by the health division or licensed*".

Amendment No. 348.

Amend section 1, page 1, by deleting lines 12 and 13 and inserting:

"*(b) The intermediate emergency medical technician or the advanced emergency medical technician-ambulance who is in charge of the ambulance is appropriately certified by the health division or licensed by the state board of nursing.*".

Amend sec. 2, page 2, by deleting lines 6 and 7 and inserting:

"*(b) The intermediate emergency medical technician or the advanced emergency medical technician-ambulance who is in charge of the ambulance is appropriately certified by the health division or licensed by the state board of nursing.*".

Assemblyman Stewart moved that the Assembly concur in the Senate amendments to Assembly Bill No. 156.

Remarks by Assemblyman Stewart.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Banner moved that Assembly Bill No. 254 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Banner.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 195.

The following Senate amendment was read:

Amendment No. 440.

Amend section 1, page 1, line 3, by deleting "$300,000" and inserting "$215,000".

Assemblyman Bremner moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 195.

Remarks by Assemblyman Bremner.

Motion carried.
Bill ordered transmitted to the Senate.

Assembly Bill No. 144.
The following Senate amendment was read:
Amendment No. 432.
Amend section 1, page 2, line 2, by deleting "6" and inserting "[6] *12*".
Amend the title of the bill, third line, after "boating;" by inserting: "increasing the proceeds allocated for that purpose;".
Amend the summary of the bill, first line, by deleting "Broadens" and inserting: "Increases proceeds allocated for and broadens".
Assemblyman Bremner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 144.
Remarks by Assemblyman Bremner.
Motion carried.
Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Assembly Bill No. 409 be taken from the Chief Clerk's desk and placed on the General File.
Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 449 be placed on the Second Reading File.
Remarks by Assemblyman Bergevin.
Motion carried.

Assemblyman Dini moved that Assembly Bill No. 522 be placed on the Second Reading File.
Remarks by Assemblyman Dini.
Motion carried.

Assemblyman Dini moved that Assembly Bill No. 283 be taken from the Chief Clerk's desk and placed on the General File.
Remarks by Assemblyman Dini.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 191.
Bill read third time.
The following amendment was proposed by the Committee on Taxation:
Amendment No. 624.
Amend sec. 23, page 6, by deleting lines 9 through 33 and inserting:
"365.370 Any person who exports any motor vehicle fuel *or fuel for jet or turbine-powered aircraft* from this state, or who sells any such fuel to the United States Government for official use of the United States Armed Forces, or who buys and uses any such fuel for purposes other than [in and] for the propulsion of motor vehicles [,] *or jet or turbine-powered aircraft,* and who has paid any tax on such fuel levied

or directed to be paid as provided by this chapter, either directly by the collection of the tax by the vendor from the customer or indirectly by the addition of the amount of the tax to the price of the fuel, must be reimbursed and repaid the amount of the tax so paid by him except as follows:

1. Refund claims must be paid by prescribed classes in accordance with the department's regulations.

2. The minimum claim for refund must be based on at least 200 gallons purchased and used in a 6-month period.

3. No refund of motor vehicle fuel taxes may be made for off-highway use of motor vehicle fuel consumed in watercraft in this state for recreational purposes.''.

Amend sec. 41, page 13, line 17, by deleting ''Section'' and inserting

''Sections 23 and''.

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 233.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 578.

Amend section 1, page 1, by deleting lines 15 through 17 and inserting:

''$0		—	[$4,500]	*$5,000*	90		
[4,500]	*5,000*	—	[7,000]	*8,000*	[75]	*80*	
[7,000]	*8,000*	—	10,000		50''.		

Amend the bill as a whole by adding new sections, designated sections 3 and 4, following section 2, to read as follows:

''Sec. 3. Notwithstanding the provisions of NRS 361.838, a person who becomes eligible for an allowance or refund for the fiscal year beginning July 1, 1983, by reason of this act may file a claim for an allowance or refund on or before June 1, 1983. The department shall act upon it as promptly as practicable.

Sec. 4. Section 3 of this act shall become effective upon passage and approval.''.

Assemblyman Kovacs moved the adoption of the amendment.

Remarks by Assemblyman Kovacs.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 288.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 288:

YEAS—40.
NAYS—None.
Not voting—Marvel, Price—2.

Assembly Bill No. 288 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 392.

Bill read third time.

Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 392:

YEAS—41.
NAYS—None.
Not voting—Nicholas.

Assembly Bill No. 392 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 468.

Bill read third time.

Remarks by Assemblyman Redelsperger.

Roll call on Assembly Bill No. 468:

YEAS—42.
NAYS—None.

Assembly Bill No. 468 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 214.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 214:

YEAS—42.
NAYS—None.

Senate Bill No. 214 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 263.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Bill No. 263:

YEAS—42.
NAYS—None.

Senate Bill No. 263 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 264.
Bill read third time.
Remarks by Assemblyman Fay.
Roll call on Senate Bill No. 264:

YEAS—42.
NAYS—None.

Senate Bill No. 264 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 265.
Bill read third time.
Remarks by Assemblymen Ham, Dini and Jeffrey.
Assemblyman Dini moved that Senate Bill No. 265 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Dini.
Motion carried.

Senate Bill No. 287.
Bill read third time.
Remarks by Assemblymen DuBois, Kovacs and Bremner.
Roll call on Senate Bill No. 287:

YEAS—42.
NAYS—None.

Senate Bill No. 287 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill no. 254.
Bill read third time.
The following amendment was proposed by Assemblyman Banner:
Amendment No. 615.
Amend sec. 6, page 4, by deleting lines 8 through 20 and inserting: "ing officer, the administrator or the manager is entitled to receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record.
3. [Claims for witnesses' fees must be audited and paid from the state treasury in the same manner as other expenses are audited and paid upon the presentation of proper vouchers approved by an appeals officer, a hearing officer, the administrator or the manager.
4. A witness subpenaed at the instance of a party other than an appeals officer, a hearing officer, the administrator or the manager is not entitled to compensation from the state treasury unless an appeals officer, a hearing officer, the administrator or the manager certifies that his testimony was material to the matter investigated.] *The appeals officer, hearing officer, administrator or manager shall:*".
Amend sec. 8, page 4, line 36, by deleting "exceed" and inserting ":
(a) Exceed".
Amend sec. 8, page 4, by inserting between lines 38 and 39:
"(b) Be unfairly discriminatory as between persons legally qualified

to provide the particular service for which the fees or charges are asked.''.

Amend sec. 8, page 4, line 43, by deleting ''*reviewed*'' and inserting ''*revised*''.

Amend the bill as a whole by adding a new section, designated section 10.5, following section 10, to read as follows:

''Sec. 10.5. NRS 616.585 is hereby amended to read as follows:

616.585 Every employee in the employ of an employer, within the provisions of this chapter, who [shall be] *is* injured by accident arising out of and in the course of employment, or his dependents [as defined in this chapter, shall be] , *is* entitled to receive the following compensation for temporary total disability:

1. During the period of temporary total disability, 66 ⅔ percent of the average monthly wage.

2. Any increase in compensation and benefits effected by the amendment of subsection 1 [shall not be] *is not* retroactive.

3. For purposes of *benefits for a* temporary total disability [benefits] under this section, the period of temporary total disability [shall cease] *ceases* when any [competent medical authority determines such] *physician or chiropractor determines that the* employee is capable of any gainful employment.''.

Amend sec. 11, page 5, line 42, by deleting ''in this section''.

Amend sec. 11, page 6, line 14, by deleting ''*a*'' and inserting ''a''.

Amend sec. 11, page 6, by deleting lines 19 and 20 and inserting: ''later, and must continue on a monthly basis for 5 years or:

(a) On or after July 1, 1983, and before July 1, 1984, until the claimant is 66 years of age;

(b) On or after July 1, 1984, and before July 1, 1985, until the claimant is 67 years of age;

(c) On or after July 1, 1985, and before July 1, 1986, until the claimant is 68 years of age;

(d) On or after July 1, 1986, and before July 1, 1987, until the claimant is 69 years of age; or

(e) On or after July 1, 1986, until the claimant is 70 years of age, whichever is later.''.

Amend sec. 11, pages 6 and 7, by deleting lines 23 through 45 on page 6 and lines 1 through 29 on page 7.

Amend sec. 11, page 7, line 30, by deleting ''[12.] *13.*'' and inserting ''6.''.

Amend sec. 11, page 7, line 36, by deleting ''[13.] *14.*'' and inserting ''7.''.

Amend sec. 11, page 7, line 40, by deleting ''[14.] *15.*'' and inserting ''8.''.

Amend sec. 11, page 7, line 43, by deleting ''[15.] *16.*'' and inserting ''9.''.

Amend the bill as a whole by renumbering section 13 as section 14, and adding a new section, designated section 13, following section 12, to read as follows:

''Sec. 13. Section 4 of Assembly Bill 278 of the 62nd session of the Nevada legislature is hereby amended to read as follows:

Sec. 4. 1. An award for a permanent partial disability may be paid in a lump sum under the following conditions:

(a) A claimant injured on or after July 1, 1973, and before July 1, 1981, who incurs a disability that does not exceed 12 percent may elect to receive his compensation in a lump sum. *If he has received his first award on or after July 1, 1981, he may elect to receive 25 percent of the present value of the compensation for his permanent partial disability.*

(b) A claimant injured on or after July 1, 1981, who incurs a disability may elect to receive a payment in a lump sum of:

(1) Twenty-five percent of the present value of the compensation for his permanent partial disability; or

(2) The present value of the compensation for his permanent partial disability, but not more than $10,000.

[(b)] *(c)* A claimant injured on or after July 1, 1973, may, upon demonstration of a need which is substantiated by a comprehensive evaluation of possible rehabilitation, be authorized by the insurer to receive his compensation in a lump sum.

[(c)] *(d)* The spouse, or in the absence of a spouse, any dependent child of a deceased claimant injured on or after July 1, 1973, who is not entitled to compensation in accordance with NRS 616.615, is entitled to a lump sum equal to the present value of the deceased claimant's undisbursed award for a permanent partial disability.

2. The department shall adopt regulations concerning the manner in which a comprehensive evaluation of possible rehabilitation will be conducted and defining the factors to be considered in the evaluation required to substantiate the need for a lump sum settlement.

3. Any lump sum payment which has been paid on a claim incurred on or after July 1, 1973, must be supplemented if necessary to conform to the provisions of this section.

4. The total lump sum payment for disablement must not be less than one-half the product of the average monthly wage multiplied by the percentage of disability.

5. The lump sum payable must be equal to the present value of the compensation awarded, less any advance payment or lump sum previously paid. The present value is calculated using monthly payments in the amounts prescribed in subsection 4 of NRS 616.605 and actuarial annuity tables adopted by the department. The tables must be reviewed annually by a consulting actuary.

6. If a claimant would receive more money by electing to receive compensation in a lump sum than he would if he receives installment payments, he may elect to receive the lump sum payment.''.

Amend sec. 13, page 8, by deleting line 6 and inserting:

''Sec. 14. Sections 6, 8, 10, 11 and 13 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 409.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Assembly Bill No. 409:
YEAS—42.
NAYS—None.

Assembly Bill No. 409 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Senate Bill No. 265 be taken from the Chief Clerk's desk and placed at the top of the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 265.
Bill read third time.
Remarks by Assemblyman Banner.
Roll call on Senate Bill No. 265:
YEAS—42.
NAYS—None.

Senate Bill No. 265 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 283.
Bill read third time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 594.
Amend section 1, page 1, by inserting between lines 7 and 8:
"*2. The governor shall appoint as members of the commission persons who have at least 2 years of experience in one or more of the following fields:*
(a) Accounting.
(b) Business administration.
(c) Finance.
(d) Administrative law.
(e) Professional engineering.
(f) The operation of motor carriers.
3. One commissioner may be appointed to represent the general public.".
Amend section 1, page 1, line 8, by deleting "2." and inserting "*4.*".
Amend sec. 2, page 1, line 15, by deleting "*one or two*" and inserting "*two or three*".
Amend sec. 2, page 1, line 17, by deleting "*three or four*" and inserting "*two or three*".

Amend the bill as a whole by inserting a new section, designated section 4, following section 3, to read as follows:

"Sec. 4. The provisions of section 1 of this act do not apply to those persons who are members of the commission on the effective date of this act.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Concurrent Resolution No. 21, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

EDWARD J. KOVACS, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Bill No. 383, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDWARD J. KOVACS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 21.

Assemblyman Kovacs moved the adoption of the resolution.

Remarks by Assemblymen Kovacs and Dini.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Legislative Functions:

Assembly Bill No. 569—An Act relating to commissioners on uniform state laws; authorizing former commissioners to continue or resume service; and providing other matters properly relating thereto.

Assemblyman Kovacs moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblymen Collins, Price, Chaney, Schofield, Joerg, Bergevin, Stone, Perry, Nevin, Marvel, Brady, Fay, Bogaert, Nicholas, DuBois, Sedway, Francis, Bilyeu, Kerns, Craddock, Berkley, Humke, Redelsperger, Thompson, Sader, Thomas, Zimmer, Coffin, Beyer, Jeffrey, Stewart, Getto, Ham, Banner, Bourne, Kovacs, Dini and Vergiels:

Assembly Bill No. 570—An Act to amend an act entitled "An Act incorporating the City of North Las Vegas, in Clark County, Nevada, and defining the boundaries thereof, under a new charter; and providing other matters properly relating thereto," approved April 26, 1971, as amended.

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

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 571—An Act relating to industrial insurance; adding chiropractors to the medical panels and the medical boards; and providing other matters properly relating thereto.

Assemblyman Banner moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 572—An Act relating to employees of local government; revising the definition of "confidential employee" for purposes of the Local Government Employee-Management Relations Act; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 318.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 574.

Amend section 1, page 1, by deleting lines 16 through 19 and inserting:

"3. *No license to engage in business as a seller of tangible personal property may be granted unless the applicant for the license presents written evidence that:*

(a) The department of taxation has issued or will issue a permit for this activity, and this evidence clearly identifies the business by name; or

(b) Another regulatory agency of the state has issued or will issue a license required for this activity.".

Amend section 1, page 2, lines 19 and 20 by deleting "board.

6. All" and inserting "board. All".

Amend section 1, page 2, line 31, by inserting after period: "*Continuing disclosure may be so authorized under an agreement with the department of taxation for the exchange of information concerning taxpayers.*".

Amend sec. 2, page 3, by deleting lines 18 through 21 and inserting:

"2. *No license to engage in business as a seller of tangible personal property may be granted unless the applicant for the license presents written evidence that:*

(a) The department of taxation has issued or will issue a permit for this activity, and this evidence clearly identifies the business by name; or

(b) Another regulatory agency of the state has issued or will issue a license required for this activity.".

Amend sec. 2, page 4, line 8, by inserting after the period: "*Continuing disclosure may be so authorized under an agreement with*

the department of taxation for the exchange of information concerning taxpayers.''.

Amend sec. 3, page 4, line 27, by deleting ''undertakers,'' and inserting ''funeral directors and''.

Amend sec. 3, page 5, by deleting lines 8 through 11 and inserting:

''2. *No license to engage in business as a seller of tangible personal property may be granted unless the applicant for the license presents written evidence that:*

(a) The department of taxation has issued or will issue a permit for this activity, and this evidence clearly identifies the business by name; or

(b) Another regulatory agency of the state has issued or will issue a license required for this activity.''.

Amend sec. 3, page 5, line 13, by deleting: ''[shall constitute] *constitutes*'' and inserting ''constitutes''.

Amend sec. 3, page 5, line 15, by deleting ''[shall] *must*'' and inserting ''must''.

Amend sec. 3, page 5, by inserting after line 19:

''*4. The governing body or the county fair and recreation board may agree with the department of taxation for the continuing exchange of information concerning taxpayers.*''.

Amend the bill as a whole by adding new sections designated sections 4 and 5, following section 3, to read as follows:

''Sec. 4. NRS 372.750 is hereby amended to read as follows:

372.750 1. [It] *Except as otherwise provided in this section, it* is a misdemeanor for any member of the Nevada tax commission or officer or employee of the department to make known in any manner whatever the business affairs, operations or information obtained by an investigation of records and equipment of any retailer or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular of them, set forth or disclosed in any return, or to permit any return or copy of a return, or any book containing any abstract or particulars of it to be seen or examined by any person not connected with the department.

2. The commission may agree with any county fair and recreation board or the governing body of any county, city or town for the continuing exchange of information concerning taxpayers.

3. The governor may, by general or special order, authorize examination of the records maintained by the department under this chapter by other state officers, by tax officers of another state, by the Federal Government, if a reciprocal arrangement exists, or by any other person. The information so obtained may not be made public except to the extent and in the manner that the order may authorize that it be made public.

[3.] *4.* Successors, receivers, trustees, executors, administrators, assignees and guarantors, if directly interested, may be given information as to the items included in the measure and amounts of any unpaid tax or amounts of tax required to be collected, interest and penalties.

Sec. 5. NRS 374.755 is hereby amended to read as follows:

374.755 1. [It] *Except as otherwise provided in this section, it* is a misdemeanor for any member of the Nevada tax commission or official or employee of the department to make known in any manner whatever the business affairs, operations or information obtained by an investigation of records and equipment of any retailer or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof, or any book containing any abstract or particulars thereof to be seen or examined by any person not connected with the department.

2. *The commission may agree with any county fair and recreation board or the governing body of any county, city or town for the continuing exchange of information concerning taxpayers.*

3. The governor may, however, by general or special order, authorize examination of the records maintained by the department under this chapter by other state officers, by tax officers of another state, by the Federal Government, if a reciprocal arrangement exists, or by any other person. The information so obtained pursuant to the order of the governor shall not be made public except to the extent and in the manner that the order may authorize that it be made public.

[3.] *4.* Successors, receivers, trustees, executors, administrators, assignees and guarantors, if directly interested, may be given information as to the items included in the measure and amounts of any unpaid tax or amounts of tax required to be collected, interest and penalties.''.

Amend the title of the bill to read:

''An Act relating to the taxation of business enterprises; requiring certain evidence from the state as a prerequisite to the issuance of a local license; authorizing the exchange of information between the department of taxation and local governments; and providing other matters properly relating thereto.''.

Amend the summary of the bill to read: ''Authorizes exchange of information between department of taxation and local governments on taxpayers engaged in business.''.

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 346.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 411.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 540.

Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 27.

Bill read second time and ordered to third reading.

Senate Bill No. 28.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 573.

Amend section 1, page 1, by deleting lines 3 through 9 and inserting:

"*1. Any business which owns, manages or operates property that is assessed pursuant to NRS 361.320 shall, on or before February 15 of each year, submit to the department a report of any construction that was:*

(a) Completed during the preceding year; or

(b) In progress on December 31 next preceding the report,

which represents an addition to its property as distinguished from replacement or repair.

2. On or before March 1, the department shall apportion the value of this property in the manner provided in NRS 361.320 and shall certify to the county auditors the value thereby added in each county to the valuations of such property last previously transmitted to them.".

Amend the title of the bill, second line, after "progress" by inserting "or recently completed".

Amend the summary of the bill after "progress" by inserting "or recently completed".

Assemblyman Joerg moved the adoption of the amendment.

Remarks by Assemblyman Joerg.

Amendment adopted.

Assemblyman Joerg moved that Senate Bill No. 28 be placed on the Chief Clerk's desk.

Remarks by Assemblyman Joerg.

Motion carried.

Bill ordered reprinted and re-engrossed.

Senate Bill No. 151.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 584.

Amend section 1, page 1, by deleting line 12 and inserting: "*psychiatric nursing and is*".

Assemblyman Chaney moved the adoption of the amendment.

Remarks by Assemblyman Chaney.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 183.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 576.

Amend the bill as a whole by renumbering section 3 as section 4 and adding a new section designated section 3, following section 2, to read as follows:

"Sec. 3. NRS 369.330 is hereby amended to read as follows:

369.330 Except as otherwise provided in this chapter, an excise tax is hereby levied and must be collected respecting all liquor and upon the privilege of importing, possessing, storing or selling liquor, according to the following rates and classifications:

1. On liquor containing more than 22 percent of alcohol by volume, $2.05 per wine gallon or proportionate part thereof.

2. On liquor containing more than 14 percent up to and including 22 percent of alcohol by volume, [75] *50* cents per wine gallon or proportionate part thereof.

3. On liquor containing from one-half of 1 percent up to and including 14 percent of alcohol by volume, [40] *30* cents per wine gallon or proportionate part thereof.

4. On all malt beverage liquor brewed or fermented and bottled in or outside this state, [9] *6* cents per gallon.".

Amend sec. 3, page 2, by deleting line 16 and inserting:

"Sec. 4. 1. This section and sections 1 and 2 of this act shall become effective June 1, 1983.

2. Section 3 of this act shall become effective on July 1, 1985.".

Amend the title of the bill, first line, before "increasing" by inserting "temporarily".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 285.

Bill read second time and ordered to third reading.

Senate Bill No. 294.

Bill read second time and ordered to third reading.

Senate Bill No. 348.

Bill read second time and ordered to third reading.

Assembly Bill No. 449.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 590.

Amend the bill as a whole by deleting sections 2 through 31 and renumbering section 32 as section 2.

Amend the bill as a whole by deleting sections 33 through 59 and renumbering sections 60 through 62 as sections 4 through 6, and adding a new section, designated as section 3, following section 32, to read as follows:

"Sec. 3. NRS 377.057 is hereby amended to read as follows:

377.057 1. The state controller, acting upon the relevant information furnished by the department, shall monthly from the fees, taxes, interest and penalties which derive from the supplemental city-county relief tax collected in all counties and from out-of-state businesses

during the preceding month, after making any distributions required by NRS 377.053:

(a) Distribute the amount specified in this paragraph among the following counties and cities in the following percentages:

Political Subdivision	Percentage
Churchill County	3.23
City of North Las Vegas	46.52
City of Carlin	2.72
Esmeralda County	.20
Eureka County	.71
City of Winnemucca	5.56
City of Caliente	.46
City of Yerington	4.77
Mineral County	9.96
City of Gabbs	4.31
Pershing County	2.52
City of Lovelock	5.77
White Pine County	5.37
City of Ely	7.90

For the fiscal year beginning July 1, 1981, the monthly amount is $71,110. For each succeeding fiscal year, this amount must be reduced by $7,111 from the preceding year.

(b) Distribute to each local government the amount calculated for it by the department of taxation pursuant to subsection 2.

2. The maximum amounts distributable under paragraph (b) of subsection 1 must be estimated for each fiscal year. The percentage of maximum allowable revenue, as determined pursuant to NRS 354.5982, to be derived from the supplemental city-county relief tax must be as nearly equal among the several counties as possible. The amount apportioned to each county must then be apportioned among the several local governments therein, including the county and excluding the school district, in the proportion which each local government's basic ad valorem revenue bears to the total basic ad valorem revenue of all these local governments except that no local government may receive more than the amount to which it is entitled pursuant to subsections 2 and 3 of NRS 354.5982. When any local government has received the maximum supplemental city-county relief tax calculated to be distributed to it, any remaining money otherwise distributable to it must be deposited in the reserve fund for the supplemental city-county relief tax.

3. As used in this section, the "basic ad valorem revenue":

(a) Of each local government is its assessed valuation for the year of distribution, multiplied by the rate levied on its behalf for the fiscal year ending June 30, 1981, for purposes other than paying the interest on and principal of its general obligations. For the purposes of this paragraph:

(1) A county whose actual tax rate, for purposes other than debt service, for the fiscal year ending on June 30, 1981, was less than 50

cents per $100 of assessed valuation is entitled to the use of a rate not greater than 80 cents per $100 of assessed valuation.

(2) A fire district in such a county whose tax rate was more than 50 cents per $100 of assessed valuation is entitled to the use of a rate not greater than $1.10 per $100 of assessed valuation.

(b) Of the county for the distribution under subsection 1 is the sum of its individual basic ad valorem revenue and those of the other local governments within it, excluding the school district.

4. For the purposes of this section, a fire district organized pursuant to chapter 473 of NRS is a local government.''.

Amend sec. 61, page 31, line 34, by deleting ''*30*'' and inserting ''*20*''.

Amend sec. 61, page 31, line 36, by deleting ''*5*'' and inserting ''*10*''.

Amend sec. 61, page 31, line 38, by deleting ''*2*'' and inserting ''*5*''.

Amend sec. 61, page 32, line 3, by placing brackets around ''as provided in NRS 354.5986 or''.

Amend sec. 61, page 32, by deleting lines 14 through 17 and inserting: ''mittee on local governmental finance may add its estimate of] *executive director of the department of taxation shall add any amount approved by the legislature for* the cost to that local government of any substantial program or expense required by legislative enactment . [which was not in effect for all or part of the preceding fiscal year.''.

Amend sec. 61, page 32, line 18, by deleting opening bracket.

Amend sec. 61, page 32, by inserting after line 27:

''*8. For the purposes of this section, a fire district organized pursuant to chapter 473 of NRS is a local government.*''.

Amend sec. 62, page 32, line 29, before ''If'' by inserting ''*1.*''.

Amend sec. 62, page 32, line 32, after ''apportionment'' by inserting: ''*, or the amount to be distributed if no apportionment is made,*''.

Amend sec. 62, page 32, by inserting after line 34:

''*2. An intergovernmental or intragovernmental transfer or grant, or a levy of taxes ad valorem, made during the fiscal year ending June 30, 1981, pursuant to an arrangement by which the recipient reduced its request for levy of taxes ad valorem must not be reduced during any subsequent fiscal year without:*

(a) Notice to the recipient before the date fixed by law for adoption of the recipient's final budget; and

(b) The approval of the Nevada tax commission.''.

Amend the bill as a whole by deleting section 63 and renumbering sections 64 through 68 as sections 7 through 11.

Amend sec. 64, page 33, line 19, by deleting ''basic'' and inserting: ''[basic] *maximum allowable combined*''.

Amend sec. 64, page 33, line 20, by deleting ''government,'' and inserting ''government [,''.

Amend sec. 64, page 33, by deleting lines 21 through 23 and inserting:

''(a) of subsection 1 of that section, coming] *:*

(a) Which comes into being [subsequent to April 30, 1981,] *on or after July 1, 1983,* whether newly created, consolidated or both [,] *; or*

(b) Which was in existence before July 1, 1983, but did not receive revenue from taxes ad valorem for the fiscal year ending June 30, 1981, must be initially established [and approved by the interim legis-''.

Amend sec. 64, page 33, line 26, before ''Nevada'' by inserting ''*by the*''.

Amend sec. 65, page 34, line 10, by inserting open bracket after ''that'' and before ''the''.

Amend sec. 65, page 34, line 11, by inserting closed bracket after ''exist,''.

Amend sec. 65, page 34, by inserting between lines 11 and 12: ''*unforeseen or uncontrollable conditions, existing or imminent, substantially impair the financial capacity of a local government to provide the basic services for which it was created. In making such a determination, the tax commission shall consider the recommendation of the executive director of the department of taxation. The executive director and the tax commission shall consider, without limitation, the effect of a sudden and unusual change in population served, the construction of major public works and facilities, a significant decrease in one or more revenues from sources other than property taxes, excessive increases in the unit cost of providing services, whether present or probable, and events of an uncommon nature, such as judgments and other uninsured losses or natural disasters. The tax commission shall consider the general economic condition of the community and of the state and the effect of each proposal on the taxpayer,*''.

Amend sec. 65, page 34, line 12, by deleting ''makes'' and inserting ''[makes] *make*''.

Amend sec. 66, page 34, line 23, by inserting open bracket before ''rate''.

Amend sec. 66, page 35, line 5, by deleting open bracket.

Amend sec. 66, page 35, line 6, by deleting closed bracket and ''*Nevada tax commission*''.

Amend sec. 66, page 35, line 7, by deleting both brackets and ''*tax commission*''.

Amend sec. 66, page 35, line 10, by deleting ''4.'' and inserting: ''4.] *amount of revenue derived by the local government from all fees except those excluded by subsection 1, for the fiscal year ended on June 30, 1981, is the base from which the maximum allowable revenue from such fees must be calculated for subsequent years. To the base must be added the sum of the amounts respectively equal to the product of the base multiplied by:*

(a) The percentage increase in the Consumer Price Index from January 1, 1981, to January 1 next preceding the fiscal year for which the calculation is made; and

(b) The quotient of the assessed value of the new real property, possessory interests and mobile homes added to the assessment rolls since July 1, 1981, divided by the total assessed valuation, for the fiscal year

next preceding the one for which the calculation is made, of all property except that new property added.

3.''.

Amend sec. 66, page 35, by deleting line 13 and inserting: ''during the preceding calendar year by [80 percent or more of] *a percentage equal to or greater than* the''.

Amend sec. 66, page 35, line 16, by deleting ''5.'' and inserting ''[5.] *4.*''.

Amend sec. 66, page 35, line 23, by deleting ''6.'' and inserting ''[6.] *5.*''.

Amend sec. 66, page 35, by deleting line 32 and inserting:

''[7.] *6.* A local government may submit an application [for exemption''.

Amend sec. 66, page 35, line 33, by deleting open bracket.

Amend sec. 66, page 35, line 34, by deleting closed bracket and ''*Nevada tax commission,*''.

Amend sec. 66, page 36, line 1, by deleting ''8.'' and inserting:

''8.] *to increase its revenue from fees beyond the maximum allowable under this section to the Nevada tax commission, which may grant the application only if it finds that under the circumstances a special distribution could be made from the reserve fund for the supplemental city-county relief tax and only to the extent that these circumstances are not relieved by such a distribution.*

7.''.

Amend sec. 66, page 36, line 4, before ''provisions'' by inserting ''*the*''.

Amend the bill as a whole by deleting sections 69 through 83 and renumbering sections 84 and 85 as sections 12 and 13.

Amend sec. 84, page 45, line 25, by deleting ''is'' and inserting ''and 354.5986 are''.

Amend the bill as a whole by deleting sections 86 through 88, renumbering section 89 as section 15, and adding a new section, designated as section 14, following section 85, to read as follows:

''Sec. 14. 1. The following amounts are approved by the legislature to be added to the maximum combined revenue otherwise allowable under NRS 354.5982 to the respective local governments, for the cost of programs required by enactments of the 61st session of the legislature:

Clark County	$8,175,227
Douglas County	276,650
Elk Point Sanitation District	21,799
Humboldt County	57,950
Lander County	53,900
Nye County	21,825
Pershing County	28,975
Washoe County	624,130

2. Except as otherwise provided in this subsection, these amounts must be added each year. The amount for Elk Point Sanitation District continues only until its general obligation bonds outstanding on April 1, 1983, are paid.''.

Amend section 89, page 46, by deleting lines 22 through 29 and inserting:

"Sec. 15. This section and section 13 of this act shall become effective upon passage and approval.".

Amend the title of the bill to read:

"An Act relating to governmental finance; providing for certain powers of the Nevada tax commission; revising certain limitations on local governmental revenue; repealing provisions for lowering the rate of certain taxes on retail sales; and providing other matters properly relating thereto.".

Amend the summary of the bill to read: "Revises limitations on local governmental revenues and retains rates of taxes on retail sales.".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 449 be rereferred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 522.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 627.

Amend the bill as a whole by renumbering sections 1 through 6 as sections 2 through 7 and adding a new section, designated as section 1, following the enacting clause, to read as follows:

"Section 1. NRS 268.580 is hereby amended to read as follows:

268.580 The governing body of any city may extend the corporate limits of such city to include any territory which meets the general standards of subsection 1 and every part of which meets the requirements of either subsection 2, 3, 4 or 5.

1. The total area proposed to be annexed must meet the following standards:

(a) It must be contiguous to the annexing city's boundaries at the time the annexation proceedings are instituted.

(b) Not less than one-eighth of the aggregate external boundaries must be contiguous to the boundaries of the annexing city.

(c) No part of the territory proposed to be annexed [shall] *may* be included within the boundaries of another incorporated city [.] *or within the boundaries of any unincorporated town as those boundaries exist on July 1, 1983.*

2. All of the territory proposed to be annexed must be developed for urban purposes. An area developed for urban purposes is defined as any area which meets any one of the following standards:

(a) Has a total resident population density of two or more persons per acre of land included within its boundaries; [or]

(b) Has a total resident population density of one or more persons per

acre of land included within its boundaries, and is subdivided or parceled, through separate ownerships, into lots or parcels such that at least 60 percent of the total acreage consists of lots and parcels 5 acres or less in size and such that at least 60 percent of the total number of lots and parcels are 1 acre or less in size; or

(c) Is so developed that at least 60 percent of the total number of lots and parcels in the territory to be annexed, at the time of the annexation, are used for any combination of residential, commercial, industrial, institutional or governmental purposes, and is subdivided or is parceled, through separate ownerships, into lots or parcels such that at least 60 percent of the total acreage, not including the acreage used at the time of annexation for commercial, industrial, institutional or governmental purposes, consists of lots and parcels 5 acres or less in size.

3. In addition to the areas developed for urban purposes, the governing body may include in the territory proposed to be annexed any territory which does not meet the requirements of subsection 2 if such area:

(a) Is contiguous to the boundary of the annexing city and lies between the boundary of the annexing city and an area developed for urban purposes, so that the area developed for urban purposes is either not adjacent to the boundary of the annexing city or cannot be served by the annexing city without extending services through such sparsely developed territory; and

(b) Is contiguous, on at least 60 percent of its aggregate external boundaries, to any combination of the boundary of the annexing city and the boundary of the area or areas developed for urban purposes as defined in subsection 2.

The purpose of this subsection is to permit municipal governing bodies to extend corporate limits to include all nearby areas developed for urban purposes where it is necessary to include areas which, at the time of annexation, are not yet developed for urban purposes, but which constitute necessary land connections between the municipality and areas developed for urban purposes or between two or more areas developed for urban purposes.

4. A governing body may also annex any area which does not meet the requirements of subsection 2 if such area is bounded on at least 75 percent of its aggregate external boundaries by existing corporate boundaries of the annexing city.

5. A governing body may also annex any area which does not meet the requirements of subsection 2 if the owners of record of not less than 75 percent of the individual lots or parcels of land within such area sign a petition requesting the governing body to annex such area to the municipality.''.

Amend section 1, page 1, by deleting lines 10 and 11 and inserting: ''*tion of a majority of the owners of real property*''.

Amend sec. 3, page 2, line 12, by deleting ''verbally'' and inserting: ''[verbally] *orally or in writing*''.

Amend sec. 3, page 2, line 16, by deleting the period and inserting: ''*if that proceeding is commenced more than 1 year after the public hearing.*''.

Assemblyman Dini moved the adoption of the amendment.
Remarks by Assemblyman Dini.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 289.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Harold Horn and Mrs. Madge Horn.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Merritt Worley.

On request of Assemblyman Bilyeu, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Deb Partridge, Messrs. Darrell Bailey, Bob Partridge and members of Ruby Mountain Bible Community Church, Rhonda Bailey, Cathy Bates, Sheralyn Freeman, Suzanne Freeman, Brian Hayes, Jay Larson, Tom Mandeville, Lynette Schwertfeger, Brian Thorp, Terri Thorp, Karen Yost, Kayla Yost and Leah Partridge.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Lee Ann MacKenzie and Cathy Masterantuno.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, April 27, 1983, at 11 a.m.
Motion carried.
Assembly adjourned at 12:44 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FIRST DAY

CARSON CITY (Wednesday), April 27, 1983

Assembly called to order at 11:01 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Robert H. Schwartz.

O Lord, we find an open Bible on display in this chamber. It is opened to the book of Malachi. We read there: "Have we not all one Father? Has not one God created us? Why then are we faithless to one another?"

We tend, O Father, not to be faithless to one another but careless. We tend to represent our own views and our own constituents and at times we fail to grasp the larger picture in concern for all.

Oh One True God, Father of us all, as we bow before you, help us to be the servants of all.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Joint Resolution No. 7, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 457, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 363, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 530, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 550, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 292, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 26, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 261, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 30.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 194.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 238, 254, 274.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 194.

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

Motion carried.

Senate Bill No. 238.

Assemblyman Stewart moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 254.

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

Motion carried.

Senate Bill No. 274.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 542; Senate Bill No. 251, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 44.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 587.

Amend the bill as a whole, by deleting sections 2 and 3 and inserting:

"Sec. 2. *1. When a defendant pleads or is found guilty of a misdemeanor, including the violation of any municipal ordinance, except one regulating metered parking, the justice or judge shall include in the sentence the sum of $10 as an administrative assessment and render a judgment against the defendant for the assessment.*

2. The money collected for an administrative assessment must not be deducted from the fine imposed by the justice or judge but must be taxed against the defendant in addition to the fine. The money collected for an administrative assessment must be stated separately on the court's docket and must be included in the amount posted for bail. If the defendant is found not guilty or the charges are dropped, the money deposited with the court must be returned to the defendant.

3. The money collected for administrative assessments in municipal court must be paid by the clerk of the court to the city treasurer on or before the 5th day of each month for the preceding month. The city treasurer shall distribute, on or before the 15th day of that month, the money received in the following amounts for each $10 received:

(a) Six dollars to the state treasurer for credit to a special account in the state general fund.

(b) One dollar to the county treasurer for credit to a special account in the county general fund for the use of the county's juvenile court or for services to juvenile offenders.

(c) Three dollars for credit to a special account in the municipal general fund for the use of the municipal courts.

4. The money collected for administrative assessments in justices' courts must be paid by the clerk of the court to the county treasurer on or before the 5th day of each month for the preceding month. The county treasurer shall distribute, on or before the 15th day of that month, the money received in the following amounts for each $10 received:

(a) Six dollars to the state treasurer for credit to a special account in the state general fund.

(b) One dollar for credit to a special account in the county general fund for the use of the county's juvenile courts or for services for juvenile offenders.

(c) Three dollars for credit to a special account in the county general fund for the use of the justices' courts.

Sec. 3. *The state controller shall distribute the money received to the following public agencies in the following amounts for each $6 received:*

1. Five dollars to the office of the court administrator for allocation as follows:

(a) Two dollars for the administration of the courts.

(b) Two dollars for the development of a uniform system for judicial records.

(c) One dollar for continuing judicial education.

2. *One dollar for the peace officers' standards and training committee of the department of motor vehicles to be used for the continuing education of persons whose primary duty is law enforcement.*".

Amend sec. 4, page 2, by deleting lines 10 through 24 and inserting:

"176.065 1. Except as otherwise provided in subsection 2, whenever a person is sentenced to both fine and imprisonment, or to pay a forfeiture in addition to imprisonment, he [shall] *must* be confined in the state prison or in the city or county jail, whichever is designated in his sentence of imprisonment, for an additional period of 1 day for each $25 of the amount until the *administrative assessment and the* fine or forfeiture [is] *are* satisfied or the maximum term of imprisonment prescribed by law for the offense committed has elapsed, whichever is earlier, but his eligibility for parole is governed only by his sentence of imprisonment.

2. The provisions of this section do not apply to indigent persons.".

Amend sec. 5, page 2, by deleting lines 26 through 30 and inserting:

"176.075 1. Except as otherwise provided in subsection 2, whenever a person is sentenced to pay a fine or forfeiture without an accompanying sentence of imprisonment, he [shall] *must* be confined in the city or county jail for a period of not more than 1 day for each $25 of the amount until the *administrative assessment and the* fine or forfeiture [is] *are* satisfied.

2. The provisions of this section do not apply to indigent persons.".

Amend sec. 6, page 2, line 32, by deleting "*costs*" and inserting "*administrative assessment*".

Amend sec. 6, page 2, line 35, by deleting "*costs*" and inserting "*administrative assessment*".

Amend sec. 6, page 2, line 36, by deleting "*costs are*" and inserting "*administrative assessment is*".

Amend sec. 6, page 2, line 38, by deleting "*or costs*".

Amend sec. 6, page 2, line 39, by deleting "*costs*" and inserting "assessment".

Amend sec. 6, page 2, line 41, by deleting "*or costs*".

Amend sec. 7, page 2, line 43, by deleting "*costs*" and inserting "*administrative assessment*".

Amend the bill as a whole by adding a new section, designated section 8, following section 7, to read as follows:

"Sec. 8. Sections 4 and 5 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Assemblyman Stewart moved that Assembly Bill No. 44 be rereferred to the Committee on Ways and Means.

Motion carried.

Bill ordered reprinted and engrossed.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 283 be re-referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 245.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 586.

Amend the bill as a whole by renumbering section 1 as section 2, and adding a new section, designated section 1, preceding section 1, to read as follows:

"Section 1. Chapter 200 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. Every person convicted of aggravated battery shall be punished by imprisonment in the state prison for not less than 1 year nor more than 6 years, or by a fine of not more than $5,000, or by both fine and imprisonment.

2. For the purposes of this section, "aggravated battery" means any willful, unlawful and unprovoked use of force or violence upon the person of another without a deadly weapon which results in substantial bodily harm to the other person.".

Amend section 1, page 1, line 11, after "than" by inserting "*aggravated battery or*".

Amend section 1, page 1, line 19, by deleting the bracket.

Amend section 1, page 2, line 4, by deleting the bracket.

Amend section 1, page 2, line 7, by deleting "[(d)] *(c)*" and inserting "(d)".

Amend section 1, page 2, line 11, by deleting "[(e)] *(d)*" and inserting "(e)".

Amend section 1, page 2, line 15, by deleting "[(f)] *(e)*" and inserting "(f)".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 383.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 490.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 583.

Amend section 1, page 1, line 3, after "place it" by inserting: "*or a legible copy*".

Amend section 1, page 1, line 8, after "*registration*" by inserting "*or the copy*".

Amend section 1, page 1, by deleting line 11 and inserting: "*if he produces in court a certificate*".

Assemblyman Malone moved the adoption of the amendment.

Remarks by Assemblyman Malone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 507.

Bill read second time, ordered engrossed and to third reading.

Assembly Joint Resolution No. 29.

Resolution read second time, ordered engrossed and to third reading.

Senate Bill No. 140.

Bill read second time and ordered to third reading.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:17 a.m.

ASSEMBLY IN SESSION

At 11:23 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 249.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 589.

Amend sec. 5, page 3, by deleting lines 30 through 35 and inserting: "*license and successfully pass a test of his eyesight. The department may accept, in lieu of an eye test, a report from an opthamologist, optometrist or agency of another state which has duties comparable to those of the department if the reported test was performed within 90 days before the application for renewal.*".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 573—An Act relating to sheriffs; requiring that

deputy sheriffs in certain counties be appointed and removed in accordance with the county's merit personnel system; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 574—An Act relating to public improvements; allowing a local government other than a county to construct and operate a facility for the disposal and treatment of sewage and waste water; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 575—An Act relating to registered nurses; authorizing the state board of pharmacy to permit registered nurses to prescribe poisons, dangerous drugs and devices; authorizing the state board of pharmacy to set different fees for the collective registration of certain registered nurses; authorizes the possessing and administering of controlled substances and dangerous drugs without certain certificates; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 400 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

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

Assembly in recess at 11:26 a.m.

ASSEMBLY IN SESSION

At 11:27 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 136.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 136:

YEAS—42.

NAYS—None.

Assembly Bill No. 136 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 192.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 635.

Amend section 1, page 1, line 7, by deleting "[2.] *(b)* Equip" and inserting:

"[2. Equip] *(b) Except as otherwise provided by the authority, equip*".

Amend section 1, page 2, line 3, by deleting "*approve*" and inserting: "*allow an exception to the requirement of*".

Amend section 1, page 2, line 5, by deleting: "*the devices used to close*".

Assemblyman Kerns moved the adoption of the amendment.

Remarks by Assemblyman Kerns.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 346.

Bill read third time.

Remarks by Assemblyman Redelsperger.

Roll call on Assembly Bill No. 346:

YEAS—42.

NAYS—None.

Assembly Bill No. 346 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 362.

Bill read third time.

Remarks by Assemblyman Coffin.

Roll call on Assembly Bill No. 362:

YEAS—40.

NAYS—Bourne, Fay—2.

Assembly Bill No. 362 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 386.

Bill read third time.

Remarks by Assemblyman Beyer.

Roll call on Assembly Bill No. 386:

YEAS—42.

NAYS—None.

Assembly Bill No. 386 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 411.

Bill read third time.

Remarks by Assemblymen Craddock, Beyer, Stone, Kerns, Francis, Bilyeu, Sedway, Bourne and Price.

Assemblyman Stone requested that the following remarks be entered in the Journal:

ASSEMBLYMAN CRADDOCK:

Mr. Speaker, to begin with, Assembly Bill No. 411 leaves the regents in charge of approving the by-laws for the operation of the Student Union. The Student Union may establish a student government and adopt by-laws, but the by-laws are subject to the approval of the regents. The problem I saw in testimony from the Education Committee is a long-term degradation of the students' control over their own government. We received information which indicates that the faculty and regents have, in times past, failed to operate in accordance with the terms of the by-laws that are currently in effect. It is my judgment that Assembly Bill No. 411 would provide for more long-term stability in student government on our university campuses.

After the by-laws are passed by the student population they are, in fact, subject to the approval of the regents, and we want to make that clear to everyone involved.

We had two rather lengthy and spirited meetings in the Education Committee, and the bill was voted out five "yea" and two "nay".

ASSEMBLYMAN BEYER:

Thank you, Mr. Speaker. I am one of the two "nays" in committee, and I would like to express my concern to the Assembly as a whole. I believe Assembly Bill No. 411 speaks to a policy question and not a legislative type question. I think the policy is set by the Board of Regents. We have given them the authority to govern the University, and I believe that this belongs more in the policy of the Board of Regents. I see some inconsistency in this bill because in Paragraph One, we permit the Board of Regents to approve the by-laws of student government. Then in Paragraph Two we now want to make the student government autonomous from the Board of Regents by using their own funds without some direction from the administration. Then in Paragraph Three we again go back to permitting the Board of Regents to collect the student fee. I don't think this legislation or this bill belongs in the statute. I think it belongs in the administration of the university.

Secondly, I really feel that the discussion in the committee became an anti-Board of Regents and a pro-student hearing. I just don't think this belongs in the statute, and that is why I will be voting "no" on this bill.

ASSEMBLYMAN STONE:

Thank you Mr. Speaker. I rise in support of of Assembly Bill No. 411 to address some of the concerns expressed by Mr. Beyer. In reviewing this bill with Frank Daykin, you cannot, because of the wording of the Constitution, take away from the Board of Regents their right to approve the by-laws or the dollar amount of the fees that they collect in behalf of student governments. You can, under that section of the Constitution, provide that the legislature can pass the rules for anything else except those two areas. Therefore, the bill reads the way it does. I believe that this is an area for legislative concern. I am a former student body president at UNR. Shelley Berkley is a former student body president at UNLV. Both of us were concerned over the deterioration in the relationship between the Board of Regents and the student governments that has occurred during the last 10 years. It has been an ongoing, gradual process, and now the situation has gotten to the point where we have two diametrically opposing groups.

And that shouldn't be. They should be cooperating and working with one another. It is my belief, and I firmly believe this, that this bill, once it becomes law, will provide the long-term stability that the relationship needs. There is always going to be that natural antagonism between the two groups. But I believe that no longer will one group be able to threaten the other with its very existence. And this has, in fact, happened. It is my belief that this bill should pass and that it is a good bill.

ASSEMBLYMAN KERNS:

Thank you, Mr. Speaker. Although I was the second member to vote "No" on this bill in committee, I felt that we needed to take a little longer look at this bill. But after the committee meeting was over I spoke to several of the regents and I spoke to President Crowley, and they felt that it is not that big of a deal, so I will be voting in favor of the bill.

ASSEMBLYMAN FRANCIS:

Thank you, Mr. Speaker. I just want to rise in support of this bill. You know that the University of Nevada—Las Vegas is in my Assembly district. I am a graduate of UNLV, and I can tell you that it is unfortunate that the relationships between the Board of Regents and the students have deteriorated. From my experience in talking to the students and in my personal experience, it is not really the students' fault. It is an attitude that the Board of Regents has had toward the students, that they don't have a voice on campus; they can't speak on the things that they believe in. I think this bill sends a message to the Board of Regents that the students do have a voice in the University of Nevada system. That they can express their rights and how they feel about certain issues without the fear of any kind of retaliation. And that's why I rise in support of Assembly Bill No. 411.

ASSEMBLYMAN BILYEU:

Thank you, Mr. Speaker. I have several questions to address to Mr. Craddock, if I may. First, Mr. Craddock, is it possible under existing rules and regulations to establish a student government on the campuses?

ASSEMBLYMAN CRADDOCK:

Well, they are, in fact, already established. The problem is that they are not operating under the terms of the by-laws that are currently in force and effect.

ASSEMBLYMAN BILYEU:

Secondly, what happens in the event that, as Mr. Stone mentioned, this would reduce confrontation. But I noticed that everything is subject to the regents' approval. So for instance, if the students propose by-laws and the regents don't approve them, what occurs then? Or if the students ask for funding in a certain amount and the regents do not approve that? Does this not make, by legislation, more opportunity for confrontation?

ASSEMBLYMAN CRADDOCK:

I don't doubt that there will be some difficult periods in the process of adopting the rules and regulations. They are, however, subject to the approval of the regents. Period. That's that. But I think that the exacerbation that now exists on the university campuses will, on the long term, subside as a result of having a policy on a long-term basis. And I might, while I'm on my feet, address a question that Mr. Beyer raises. After the approval of the by-laws, the autonomy is enjoyed under the terms of the by-laws, so they are still, in fact, under the control of the regents throughout the total process, in my judgment.

ASSEMBLYMAN SEDWAY:

Thank you, Mr. Speaker. I, too, as a member of the Education Committee, voted in favor of this bill, and I just want to reiterate what Mr. Kerns said after the hearing. I spoke to a particularly close friend of mine on the Board of Regents, Mrs. Dorothy Gallagher, and she concurred with me that they could live with this bill.

ASSEMBLYMAN BOURNE:

I rise in support of the bill. UNR is in my district. There have been several problems in the past, and it is my hope, from conversations I have had with members of the

student body of that campus that this will start them on the road to correcting some of those problems and difficulties that they have had in the past.

ASSEMBLYMAN PRICE:

I would like to make another remark in response to Mr. Bilyeu's question. Actually, what the bill does, is that it will, by statute, require that the regents do collect the student fee for the student government. There was, at one meeting of the regents, at least a motion that would have stopped that collection, which, in effect, would have bombed out the student government if they couldn't collect their money. The other thing that it does, is that once those by-laws are, in fact, adopted, whether the students like them or don't like them, whether it is a compromise or what have you, then both parties will have to abide by those by-laws unless they are amended. This has apparently not been the case in the past. So after the initial problem of trying to reach by-laws, they will have to be followed.

Roll call on Assembly Bill No. 411.

YEAS—41.
NAYS—Beyer.

Assembly Bill No. 411 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 540.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Assembly Bill No. 540:

YEAS—42.
NAYS—None.

Assembly Bill No. 540 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 27.

Bill read third time.

Remarks by Assemblymen Getto and Bergevin.

Roll call on Senate Bill No. 27:

YEAS—42.
NAYS—None.

Senate Bill No. 27 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 285.

Bill read third time.

Remarks by Assemblyman Zimmer.

Roll call on Senate Bill No. 285:

YEAS—42.
NAYS—None.

Senate Bill No. 285 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 294.

Bill read third time.

Remarks by Assemblyman Francis.
Roll call on Senate Bill No. 294:
YEAS—42.
NAYS—None.
Senate Bill No. 294 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bourne moved that Assembly Bill No. 292 be placed on the Second Reading File.
Remarks by Assemblyman Bourne.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 348.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 348:
YEAS—42.
NAYS—None.
Senate Bill No. 348 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 400.
Bill read third time.
The following amendment was proposed by Assemblyman Dini:
Amendment No. 638.
Amend section 1, page 1, by deleting lines 1 through 10 and inserting:
"Section 1. NRS 650.010, 650.020, 650.030 and 650.040 are hereby repealed.".
Amend the title of the bill, to read:
"An Act relating to traveling merchants; repealing the special restrictions on their licensing in favor of the general law on business licenses; and providing other matters properly relating thereto.".
Assemblyman Dini moved the adoption of the amendment.
Remarks by Assemblyman Dini.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Economic Development, Tourism and Mining, to which was re-referred Assembly Bill No. 391, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Economic Development, Tourism and Mining.

ROBERT E. PRICE, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 292.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 628.

Amend section 1, page 1, line 6, after "building" by inserting: ", *or to provide electricity used in the building,*".

Amend section 1, page 3, lines 8 and 9, by deleting *"the value of"* and inserting: *"any value added by"*.

Amend the bill as a whole by adding new sections designated as sections 2 and 3, following section 1, to read as follows:

"Sec. 2. For taxes levied to be collected during the fiscal year beginning on July 1, 1983, a claim filed pursuant to NRS 361.795 on or before the first Monday in August 1982 entitles the claimant to an exemption equal to the difference between the assessed value of the building with the qualified system and the assessed value of the building without it. On or before July 1, 1983, the county assessor shall file with the county auditor, the ex officio tax receiver and the department a statement showing, for each property with respect to which an allowance was claimed, the amount of the exemption created by this section. The county auditor or ex officio tax receiver, whichever has the tax roll, shall reduce the assessed valuation and the amount of taxes to be collected accordingly.

Sec. 3. Section 2 of this act shall become effective upon passage and approval.".

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblyman Bourne.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 252.

The following Senate amendment was read:

Amendment No. 529.

Amend section 1, page 1, by deleting line 2 and inserting: "thereto a new section which shall read as follows:".

Amend the bill as a whole, by deleting section 2.

Amend sec. 3, page 1, line 6, by deleting "Sec. 3.".

Amend sec. 3, page 1, line 7, by deleting "*must*" and inserting "*may*".

Amend the bill as a whole, by deleting section 4 and renumbering sections 5 through 7 as sections 2 through 4.

Amend the bill as a whole, by deleting section 8 and renumbering sections 9 through 11 as sections 5 through 7.

Amend sec. 11, page 4, by inserting between lines 36 and 37:

"*4. In cases of disability resulting from radium poisoning or exposure to radioactive properties or substances, or to roentgen rays (X-rays) or ionizing radiation, the poisoning or illness resulting in disability must have been contracted in the State of Nevada.*".

Amend the bill as a whole by renumbering sections 12 and 13 as sections 10 and 11 and adding new sections designated sections 8 and 9, following section 11, to read as follows:

"Sec. 8. NRS 617.455 is hereby amended to read as follows:

617.455 1. Notwithstanding any other provision of this chapter, diseases of the lungs, resulting in either temporary or permanent disability or death, are occupational diseases and compensable as such under the provisions of this chapter if caused by exposure to heat, smoke, fumes, tear gas or any other noxious gases, arising out of and in the course of the employment of a person who, for 2 years or more, has been:

(a) Employed *in this state* in a full-time salaried occupation of firefighting for the benefit or safety of the public;

(b) Acting as a volunteer fireman *in this state and is* entitled to the benefits of chapter 616 of NRS pursuant to the provisions of NRS 616.070; or

(c) Employed in a full-time salaried occupation as a police officer [.] *in this state.*

2. Except as provided in subsection 3, each employee who is to be covered for diseases of the lungs pursuant to the provisions of this section shall submit to a physical examination, including a thorough test of the functioning of his lungs and the making of an X-ray film of his lungs, upon employment, upon commencement of the coverage and thereafter on an annual basis during his employment.

3. A thorough test of the functioning of the lungs is not required for a volunteer fireman.

4. All physical examinations required pursuant to subsection 2 must be paid for by the employer.

5. A disease of the lungs is presumed to have arisen out of and in the course of the employment of any fireman or police officer described in this section if the last physical examination required by subsection 2, as evidenced by a written report of the medical examiner, failed to reveal any evidence of the disease.

6. A person who is determined to be:

(a) Partially disabled from an occupational disease pursuant to the provisions of this section; and

(b) Incapable of performing, with or without remuneration, work as a fireman or police officer,

may elect to receive the benefits provided under NRS 616.580 for a permanent total disability.

Sec. 9. NRS 617.457 is hereby amended to read as follows:

617.457 1. Notwithstanding any other provision of this chapter, diseases of the heart, resulting in either temporary or permanent disability or death, are occupational diseases and compensable as such under the provisions of this chapter if caused by extreme overexertion in

times of stress or danger and a causal relationship can be shown by competent evidence that the disability or death arose out of and in the course of the employment of a person who, for 5 years or more, has been employed in a full-time continuous, uninterrupted and salaried occupation as a fireman or police officer [.] *in this state.*

2. Notwithstanding any other provision of this chapter, diseases of the heart, resulting in either temporary or permanent disability or death, are occupational diseases and compensable as such under the provisions of this chapter if caused by extreme overexertion in times of stress or danger and a causal relationship can be shown by competent evidence that the disability or death arose out of and was caused by the performance of duties as a volunteer fireman by a person entitled to the benefits of chapter 616 of NRS pursuant to the provisions of NRS 616.070 and who, for 5 years or more, has served continuously as a volunteer fireman *in this state* and who has not reached the age of 55 years before the onset of the disease.

3. Each employee who is to be covered for diseases of the heart pursuant to the provisions of this section shall submit to a physical examination, including an examination of the heart, upon employment, upon commencement of coverage and thereafter on an annual basis during his employment.

4. All physical examinations required pursuant to subsection 3 must be paid for by the employer.

5. Failure to correct predisposing physical conditions which lead to heart disease when so ordered in writing by the examining physician subsequent to the annual examination excludes the employee from the benefits of this section if the correction is within the ability of the employee.

6. A person who is determined to be:

(a) Partially disabled from an occupational disease pursuant to the provisions of this section; and

(b) Incapable of performing, with or without remuneration, work as a fireman or police officer,

may elect to receive the benefits provided under NRS 616.580 for a permanent total disability.

7. Claims filed under this section may be reopened at any time during the life of the claimant for further examination and treatment of the claimant upon certification by a physician of a change of circumstances related to the occupational disease which would warrant an increase or rearrangement of compensation.''.

Amend sec. 13, page 5, line 25, by deleting: '', 617.290 and 617.450'' and inserting ''and 617.290''.

Assemblyman Banner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 252.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 144, 156, 328; Senate Bills Nos. 111, 191; Assembly Concurrent Resolution No. 29; Senate Concurrent Resolution No. 31.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Michael G. Dougherty.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Esther Cooper, Bee Lippold and students from Carson High School, Carson City, Nevada: Chris Aguilera, Cindy Anderson, Janice Androff, Konnie Aveiro, Lalauni Baher, Jim Beattie, Cassie Berrum, Craig Berry, Joel Bird, Ollie Block, Brenda Blount, Renee Bordreaux, Kim Brethauer, Beth Brown, Darrell Brown, Ed Brown, Joe Brown, Michelle Burns, Bryan Carpenter, Kenneth Carpentier, Grant Case, Jonathan Chalk, Pete Chapin, Rob Chiappe, Shelly Churchey, David Clewell, Bertha Collins, Ron Cook, Paul Curtis, Jill Dahlen, Dennis Dees, Dexter Derscheid, Ted Duzan, Mike Elgen, John Epley, Cani Esparza, Jeff Frame, Monte Fuller, Terri Gagnier, Patty Gammie, Helena Gjerde, Wayne Goddard, John Granata, Julie Gray, Beth Greenhalgh, Karen Grey, Blake Gudmundson, Pete Hagan, Shannon Harjes, Gregory Hein, Kevin Hickerson, Kathy Howell, Kim Hughes, Thomas Hultin, Dan Hunter, Jodi Inman, Robert Johnston, Threasa Jones, Irene Jorgensen, Caroline Kale, Jim Kellogg, Alex Kirsch, Ron Larson, Robert Larson, Hilary Laughter, Becky Lapire, Heidi Lewis, Dan Maloney, Mark Marsh, Don Mathis, Elizabeth Mellor, Maria Meridith, Laura Middleton, Lauretta Miller, Darren Mitchell, Yvette Moffett, Stephanie Morgan, Joseph Mund, Sabrina Munns, David McClelland, David McCulloch, David McKinnish, Kelly McLean, Rebecca McMillion, Gina Newcomb, Bambi Nuchols, Joe Owen, Garry Pesavanto, Andy Peters, Roger Philippi, Mikki Rakow, Cindi Readhead, Albert Replogle, Kim Rhodes, Lisa Riccardi, Kim Riordan, Tony Robertson, John Scarcelli, Scott Schrempp, Glenda Schulz, Wendy Shambaugh, Jim Sheppard, Janet Smales, Greg Smith, Stephanie Smith, Warren Sonneville, Darrell Stokke, Rich Sulli, Tanya Tuohy, Mark Vance, Dan Walsh, Jodi Webb, Cindy Welch, Tom Weninger, Jess Wilson, Karyn Winney, Michelle Winterburn, Christy Wolfe, Elizabeth Wood, Mike Wright, Dorothy Zehner, Rhonda Zuti, Kim Terry, Mike Walsh, Kim Barnett, Kelli Hoffman, Mike Sayan, Glenn Davidson, Tamie Cox, Gary Wanlass, Gene Foust, Dave Brewer, Stacey Roy, Heather Sullivan, Colleen Fields, Sally Hart, Tim Samelko, Dana Allec, Tracy Berning, Steve Barry, Scot Craighead, Brian Dimit, Nanette Dory, Teresa Grill, Mary Hataway, Josephine Heun, Shimooi Hui, Maureen Johnson, Sean Johnson, Sarah Kimm, Pam McClure, Trevor Rowley, Erin Stanley, Cindy Summers, Tami Urbani, and Yancy Young.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Jean Sola.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, April 28, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:08 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND SECOND DAY

CARSON CITY (Thursday), April 28, 1983

Assembly called to order at 11:03 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Robert H. Schwartz.

Dear Lord, in whom is perfect wisdom and from whom comes perfect peace, humility before you causes us to acknowledge our imperfection. Knowing our incompleteness helps us to know our need. So, ready souls that we are, we turn to you. O Lord, give wings to our hopes and rest to our fears. Infuse our faith with courage and dismantle the barrier that anxiety and confusion would erect in our way. Let us offer up to you this day a unity of our heart, mind, strength and will so that at day's end this will have been a day well pleasing in your sight.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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

Assemblyman Jeffrey moved that for the balance of the session, all rules be suspended and that all Assembly bills and Assembly resolutions passed or adopted by the Assembly be immediately transmitted to the Senate.
Motion carried unanimously.

Assemblyman Jeffrey moved that for the balance of the session, all bills and joint resolutions reported out of committee with amendments be placed on their appropriate reading files.
Motion carried.

Assemblyman Jeffrey moved that for the balance of the session, all rules be suspended, reading so far had considered second reading, rules further suspended and that all Assembly bills and Assembly joint resolutions reported out of committee without amendments be considered engrossed, declared emergency measures under the Constitution and placed on third reading and final passage for the next legislative day.
Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 321, 369, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 502, 503, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 464, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Assemblyman Berkley moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:07 a.m.

ASSEMBLY IN SESSION

At 11:18 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were re-referred Assembly Bills Nos. 5, 472, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 493, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Government Affairs, to which was referred Assembly Bill No. 335, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and return to the Concurrent Committee on Government Affairs.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 27, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 432, 433.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 195 and requests a conference, and appointed Senators Neal, Wagner and Raggio as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 32.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 367.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 104, 315.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 127, 170, 229.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 13.

MAE LOFTHOUSE
Assistant Secretary of the Senate

Senate Chamber, Carson City, April 28, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 33.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 48, consisting of the undersigned members, has met, and reports that:

No decision was reached, and recommends the appointment of a second Committee on Conference, consisting of three members, for the further consideration of the bill.

JOHN W. MARVEL	ALAN H. GLOVER
ROBERT M. SADER	LAWRENCE E. JACOBSEN
BYRON (BILL) BILYEU	RANDOLPH J. TOWNSEND
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Marvel moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 48.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Thompson, Dini and Getto as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 48.

Mr. Speaker appointed Assemblymen Sedway, DuBois and Redelsperger as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 195.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 13.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Commerce.

Motion carried.

Senate Concurrent Resolution No. 33.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Jeffrey.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 576—An Act relating to governmental finance;

deferring the dates for hearing and adoption of local government budgets and for the setting of tax rates on property; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 577—An Act relating to compensation for victims of crime; eliminating the minimum hourly wage for a compensation officer; providing for the closure of certain claims; providing for the payment of the expenses of the hearings division of the department of administration; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Dini:

Assembly Bill No. 578—An Act relating to scenic routes; requiring that the route between Virginia City and U.S. Highway 50 via Six-Mile Canyon be designated as a scenic route; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly in recess at 11:26 a.m.

ASSEMBLY IN SESSION

At 11:27 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 579—An Act relating to bees; requiring beekeepers to pay annual registration fees; requiring certain beekeepers to pay an annual assessment fee for each colony of bees; imposing penalties; removing the annual special tax on each colony; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Beyer and Thompson:

Assembly Bill No. 580—An Act relating to aquaculture; creating a

division of aquaculture within the state department of agriculture; specifying the powers and duties of the division; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Francis:

Assembly Bill No. 581—An Act relating to victims of crimes; increasing the compensation awarded to those victims; requiring peace officers to advise the victims of the compensation and services available to them; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 104.

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

Motion carried.

Senate Bill No. 315.

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

Motion carried.

Senate Bill No. 367.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 576, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Economic Development, Tourism and Mining, to which were referred Assembly Bills No. 240, 448, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT E. PRICE, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 363.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 457.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 595.

Amend section 1, page 1, by deleting line 3 and inserting:

"*1. Each school district shall require all of the pupils in the district who ride a school bus*".

Amend section 1, page 1, line 4, by deleting "*the school*".

Amend section 1, page 1, line 6, by deleting "*may*" and inserting "*shall*".

Amend section 1, page 1, line 7, by deleting the period and inserting: "*, including the requirement of such practices at the beginning of any field trip by school bus.*".

Amend sec. 2, page 2, by deleting lines 10 through 12 and inserting: "*in subsection 1 for more than 10 hours in a 15-hour period. The time spent operating, inspecting, loading, unloading, repairing and servicing the vehicle and waiting for passengers must be included in determining the number of hours of operation. After 10 hours of operating a vehicle,*".

Amend sec. 2, page 2, by deleting line 15 and inserting:

"*4. Before January 1, 1984, the state board of education shall adopt*".

Amend sec. 3, page 2, lines 28 and 29, by deleting: "*director of the department of motor vehicles*" and inserting: "*state board of education*".

Amend sec. 3, page 2, lines 38 and 39, by deleting: "*administered by the Nevada highway patrol*" and inserting: "*approved by the superintendent of public instruction and administered by the school districts*".

Amend sec. 3, page 3, by deleting line 7 and inserting:

"*3. Before January 1, 1984, the state board of education shall adopt*".

Assemblyman Redelsperger moved the adoption of the amendment.

Remarks by Assemblyman Redelsperger.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

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

Assembly in recess at 11:32 a.m.

ASSEMBLY IN SESSION

At 11:33 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 191.

Bill read third time.

Remarks by Assemblymen Redelsperger and Price.

Roll call on Assembly Bill No. 191:

YEAS—40.

NAYS—Bilyeu, Kovacs—2.

Assembly Bill No. 191 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 233.

Bill read third time.

Remarks by Assemblymen Kovacs, Bergevin and Bremner.

Roll call on Assembly Bill No. 233:

YEAS—42.

NAYS—None.

Assembly Bill No. 233 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 254.

Bill read third time.

Remarks by Assemblymen Banner and Bourne.

Roll call on Assembly Bill No. 254:

YEAS—41.

NAYS—Bourne.

Assembly Bill No. 254 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 318.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 656.

Amend sec. 4, page 6, by deleting line 2 and inserting:

"372.750 1. Except as otherwise provided in this section, it".

Amend sec. 4, page 6, by inserting between lines 27 and 28:

"[4.] *5.* Relevant information may be disclosed as evidence in an appeal by the taxpayer from a determination of tax due.".

Amend sec. 5, page 6, by deleting line 29 and inserting:

"374.755 1. Except as otherwise provided in this section, it".

Amend sec. 5, page 7, line 4, by deleting "shall" and inserting "may".

Amend sec. 5, page 7, by inserting after line 10:

"[4.] *5.* Relevant information may be disclosed as evidence in an appeal by the taxpayer from a determination of tax due.".

Amend the bill as a whole by adding a new section, designated section 6, following section 5, to read as follows:

"Sec. 6. Sections 4 and 5 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 383.
Bill read third time.
Remarks by Assemblyman May.
Roll call on Assembly Bill No. 383:

YEAS—42.
NAYS—None.

Assembly Bill No. 383 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 391.
Bill read third time.
The following amendment was proposed by the Committee on Economic Development, Tourism and Mining:
Amendment No. 653.
Amend sec. 4, page 2, by deleting lines 26 through 28 and inserting: "*sons who are informed on and have experience in travel and tourism, including the business of gaming.*".
Amend sec. 4, page 2, by deleting lines 37 and 38.
Amend sec. 11, page 4, line 16, after "*employment.*" by inserting: "*Unless the commission provides otherwise, the regulations which are adopted pursuant to chapter 284 of NRS apply to the executive director and all other employees of the commission.*".
Amend sec. 15, pages 5 and 6, by deleting lines 40 through 43 on page 5 and lines 1 through 3 on page 6 and inserting:
"Sec. 15. (Deleted by amendment.)".
Amend sec. 23, page 8, line 36, by deleting "*six*" and inserting "*seven*".
Amend sec. 23, page 8, line 40, by deleting "*distributing*".
Amend sec. 23, page 8, by deleting line 41, and inserting: "*mining, agriculture, the field of transportation, or in general business other than tourism*".
Amend sec. 23, page 9, by deleting lines 6 and 7 and inserting:
"*4. One of the seven members must be a person who is associated with the University of Nevada System. He is not entitled to a vote in the decisions of the commission.*".
Amend sec. 25, page 10, by deleting lines 10 through 13 and inserting:
"*1. Shall establish policies and programs concerning the promotion of industrial development and diversification in this state.*".
Amend sec. 30, page 11, line 38, after "*employment.*" by inserting: "*Unless the commission provides otherwise, the regulations which are adopted pursuant to chapter 284 of NRS apply to the executive director and all other employees of the commission.*".
Amend sec. 33, page 12, by deleting line 26 and inserting:
"Sec. 33. NRS 244A.621 is hereby amended to read as follows:

244A.621 The county fair and recreation board, in addition to the other powers conferred upon a county fair and recreation board by NRS 244A.597 to 244A.655, inclusive, may:

1. Set aside a fund in an amount which it considers necessary and which may be expended in the discretion of the board for the purpose of promoting or attracting conventions, meetings and like gatherings which will utilize the recreational facilities authorized by NRS 244A.597. Such expenditure is hereby declared to be an expenditure made for a public purpose.

2. Solicit and promote tourism generally, both individually and through annual grants to the chambers of commerce of the incorporated cities within the county, and further promote generally the use of its facilities, pursuant to lease agreements, by organized groups or by the general public for the holding of conventions, expositions, trade shows, entertainment, sporting events, cultural activities or similar uses reasonably calculated to produce revenue for the board and to enhance the general economy. Such promotion may include advertising the facilities under control of the board and the resources of the community or area, including without restriction tourist accommodations, transportation, entertainment and climate. *Such advertising may be done jointly with a private enterprise.*

3. Enter into contracts for advertising pursuant to this section and pay the cost of such advertising, including a reasonable commission.''.

Amend the bill as a whole by adding a new section, designated section 33.5, following section 33, to read as follows:

''Sec. 33.5. NRS 284.3775 is hereby amended to read as follows:

284.3775 Employees of the [supreme court or the legislative] *:*

1. Supreme court;

2. Commission on tourism;

3. Commission on economic development; and

4. Legislative branch of the government of the State of Nevada , who have served for 2 consecutive years or more are entitled to transfer to a position having similar duties and compensation in the classified service of the state on the same basis as employees may transfer within the classified service from a position under one appointing authority to a position under another appointing authority. The benefit conferred by this section includes any exemption from the taking of a competitive examination, retention of credits for annual and sick leave and longevity, and priority on the lists of eligible persons to the extent that such privileges are accorded to employees transferring within the classified service.''.

Amend sec. 39, page 15, by deleting lines 30 through 36 and inserting:

''Sec. 39. (Deleted by amendment.)''.

Amend the bill as a whole by adding thereto new sections, designated sections 41, 42 and 43 following section 40, to read as follows:

''Sec. 41. Until January 1, 1984:

1. The provisions of chapter 284 of NRS apply to the persons who

were employed by the department of economic development on June 30, 1983.

2. The persons who were employed by the department of economic development on June 30, 1983, may:

(a) Request to be transferred to the classified service of the state.

(b) Apply for employment with the commission on tourism and the commission on economic development.

(c) Resign their positions.

Sec. 42. Section 1 of Senate Bill No. 170 of the 62nd session of the Nevada legislature is hereby amended to read as follows:

Section 1. Chapter 231 of NRS is hereby amended by adding thereto a new section which shall read as follows:

The fund for the promotion of tourism is hereby created as a special revenue fund. The money in the fund is hereby appropriated for the support of the [department.] *commission on tourism.*

Sec. 43. This section and sections 36, 37 and 38 of this act shall become effective upon passage and approval.''.

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 507.

Bill read third time.

Remarks by Assemblyman Bogaert.

Roll call on Assembly Bill No. 507:

YEAS—42.

NAYS—None.

Assembly Bill No. 507 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 522.

Bill read third time.

Remarks by Assemblymen Schofield and Nicholas.

Roll call on Assembly Bill No. 522:

YEAS—42.

NAYS—None.

Assembly Bill No. 522 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 29.

Resolution read third time.

Remarks by Assemblyman Redelsperger.

Roll call on Assembly Joint Resolution No. 29:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 29 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 140.
Bill read third time.
Remarks by Assemblyman Bilyeu.
Roll call on Senate Bill No. 140:
YEAS—42.
NAYS—None.
Senate Bill No. 140 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 151.
Bill read third time.
Remarks by Assemblyman Chaney.
Roll call on Senate Bill No. 151:
YEAS—42.
NAYS—None.
Senate Bill No. 151 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 183.
Bill read third time.
The following amendment was proposed by the Committee on Taxation:
Amendment No. 643.
Amend the bill as a whole by deleting section 1 and renumbering sections 2, 3 and 4 as sections 1, 2 and 3.
Amend sec. 4, page 2, line 31, by deleting "sections 1 and 2" and inserting "section 1".
Amend sec. 4, page 2, line 33, by deleting "3" and inserting "2".
Assemblyman Schofield moved the adoption of the amendment.
Remarks by Assemblyman Schofield.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Joint Resolution No. 11, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which were referred Assembly Concurrent Resolutions No. 18, 21, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

EDWARD J. KOVACS, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Joint Resolution No. 27, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

EDWARD J. KOVACS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 28, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 324, 359.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 19.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 18.

Assemblyman Kovacs moved the adoption of the resolution.

Resolution adopted unanimously.

Assembly Concurrent Resolution No. 21.

Assemblyman Kovacs moved the adoption of the resolution.

Remarks by Assemblyman Kovacs.

Resolution adopted unanimously.

Senate Joint Resolution No. 19.

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

Motion carried.

By Assemblymen May, Craddock, Vergiels, Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Kovacs, Malone, Marvel, Nevin, Nicholas, Perry, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thomas, Thompson and Zimmer:

Assembly Concurrent Resolution No. 33—Designating April 28 as Nevada REALTORS ® Day.

WHEREAS, There are currently 3,505 REALTORS ® working in Nevada; and

WHEREAS, This legislature recognizes the importance of the service REALTORS ® provide to the citizens of Nevada; and

WHEREAS, A better understanding of the legislative process is beneficial to all REALTORS ® as laws are enacted every session which directly affect owners of property in Nevada; and

WHEREAS, On April 28, 1983, REALTORS ® from Nevada will come to Carson City to meet members of this legislature; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That April 28 is designated as Nevada REALTORS ® Day; and be it further

Resolved, That members of the 62nd session of the Nevada legislature commend the REALTORS ® of Nevada for their encouragement and support of the free enterprise system as they continue to promote ownership of private property by Nevada's citizens; and be it further

Resolved, That a copy of this resolution be transmitted forthwith by the legislative counsel to the Nevada Association of REALTORS ®.

Assemblyman May moved the adoption of the resolution.

Remarks by Assemblyman May.

Assemblyman Bourne requested that Assemblyman May's remarks be entered in the Journal:

Mr. Speaker, among the real estate industry perhaps those that wear the ® pin designating the meaning of realtors are the elite of that profession. Nevada is fortunate to have with us today a great many of those people. They, indeed, are the honor guard of the real estate industry, and, as such, we salute them.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 324.

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

Motion carried.

Senate Bill No. 359.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Beyer moved that the vote whereby Assembly Bill No. 580 was referred to the Committee on Natural Resources, Environment and Agriculture be rescinded.

Motion carried.

Assemblyman Beyer moved that Assembly Bill No. 580 be referred to the Concurrent Committees on Ways and Means and Natural Resources, Environment and Agriculture.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 530.

Bill read second time, ordered engrossed and to third reading.

Assembly Bill No. 542.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 634.

Amend section 1, page 2, line 9, by deleting "Each" and inserting: "[Each] *Except as otherwise provided in this subsection, each*".

Amend section 1, page 2, line 14, by inserting after the period: "*The state board of examiners may waive the requirements of this subsection in the case of contracts for repair or maintenance whose amount is less than $500.*".

Amend section 1, page 2, line 20, by deleting "*certain contracts*" and inserting: "*contracts whose amount is less than $1,200 which are*".

Amend the title of the bill, second line, by deleting "contractors;" and inserting: "contractors and to waive the requirement of writing in certain cases;".

Assemblyman Perry moved the adoption of the amendment.

Remarks by Assemblyman Perry.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 550.
Bill read second time, ordered engrossed and to third reading.

Senate Bill No. 251.
Bill read second time.
The following amendment was proposed by the Committee on Ways and Means:
Amendment No. 631.
Amend sec. 3, page 2, line 20, by deleting "*shall*" and inserting "*may*".
Amend sec. 3, page 2, line 21, by deleting "*may meet*".
Assemblyman Bremner moved the adoption of the amendment.
Remarks by Assemblyman Bremner.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Joint Resolution No. 7.
Resolution read second time and ordered to third reading.

Assembly Bill No. 240.
Bill read second time.
The following amendment was proposed by the Committee on Economic Development, Tourism and Mining:
Amendment No. 636.
Amend section 1, page 1, line 7, by deleting "[February] *August*" and inserting "February".
Amend section 1, page 1, line 11, by deleting "[calendar] *fiscal*" and inserting "calendar".
Amend the bill as a whole by deleting sections 2 through 6.
Amend the title of the bill to read as follows:
"An Act relating to the taxation of the net proceeds of mines; removing the requirement for payment of estimated tax; removing the penalty for a deficiency in the estimate; and providing other matters properly relating thereto.".
Amend the summary of the bill to read as follows: "Removes requirement for payment of estimated tax on net proceeds of mines.".
Assemblyman Price moved the adoption of the amendment.
Remarks by Assemblyman Price.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 321.
Bill read second time.
The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 650.

Amend section 1, page 1, by deleting lines 2 and 3 and inserting:

"239.005 As used in this chapter ["division of archives"] *"division"* means the division of [state, county and municipal] archives *and records* of the Nevada state".

Amend the bill as a whole by adding new sections, designated sections 1.3, 1.6 and 1.9, following section 1, to read as follows:

"Sec. 1.3. NRS 239.070 is hereby amended to read as follows:

239.070 1. In lieu of or in addition to the method of recording required or allowed by statute, the county recorder may use [the microfilm method of] *microfilm for such* recording.

2. The division , [of archives,] in cooperation with the state printing and records division of the department of general services, shall provide microfilming service to any local government . [entity.] The charge for the service [shall] *must* not exceed the actual cost.

3. If [such microfilm method be] *microfilming is* used:

(a) The microphotographs or micronegative films [shall] *must* be properly indexed and placed in conveniently accessible files.

(b) Each film [shall] *must* be designated and numbered.

(c) Provision [shall] *must* be made for preserving, examining and using the [same.] *films.*

4. A duplicate of *each* such film [shall] *must* be made and kept safely in a separate place.

5. Duplicates of *each* such film [shall] *must* be made available by the county recorder for sale at a price not exceeding cost upon *the* request of any person, firm or organization. Subject to the approval of the board of county commissioners, the county recorder may, at any time, make additional duplicates of *each* such film available for sale to the public at a price not exceeding cost.

Sec. 1.6. NRS 239.080 is hereby amended to read as follows:

239.080 1. [No] *An* official state record may be disposed of [prior to approval] *only in accordance with a schedule for retention and disposition which is approved* by the state board of examiners.

2. In cooperation with the state printing and records division of the department of general services, each agency, board and commission shall develop a [records retention and disposal schedule which will specify the total retention value for] *schedule for the retention and disposition of* each type of official state record.

3. Each [records retention and disposal] *such* schedule must be submitted to the state board of examiners for final approval.

4. [The provisions of this section are not applicable to the papers, books and documents of the department of transportation.] *For the purposes of this section, "official state record" includes records:*

(a) Which are made or received by the officers or employees of a state agency in the performance of their public duties; and

(b) Whose preparation or maintenance was supported by public money.

Sec. 1.9. NRS 239.085 is hereby amended to read as follows:

239.085 1. [Whenever the] *The* director of the department of transportation [determines that old or obsolete papers, books, pamphlets

or documents of the department of transportation are no longer of value to the department, he may order the papers, books, pamphlets or documents removed from storage and destroyed.

2.] *shall, in cooperation with the division, develop a schedule for the retention and disposition of each type of official state record in the care, custody and control of the department of transportation.*

2. A record which has historical or permanent value must be preserved permanently by the department of transportation or submitted to the state librarian for preservation in the archives.

3. The department of transportation shall keep a record showing when any [of the papers, books, pamphlets and documents] *official state record* mentioned in subsection 1 was destroyed, and the kind and nature of it.

[3. If any of the papers, books, pamphlets and documents has a historical value, it may be presented to the state librarian for preservation in the archives.]''.

Amend sec. 2, page 1, line 7, after ''may'' by inserting: '', *with the prior approval of the state librarian,*''.

Amend sec. 2, page 1, line 9, by deleting ''of archives.'' and inserting ''. [of archives.]''.

Amend sec. 2, page 2, line 4, by deleting ''*of archives*''.

Amend the bill as a whole by adding a new section, designated section 2.5, following section 2, to read as follows:

''Sec. 2.5. NRS 239.121 is hereby amended to read as follows:

239.121 As used in NRS 239.121 to 239.125, inclusive:

1. ''Custodian of records'' means any person authorized to have the care, custody and control of any documents, instruments, papers, books, pamphlets or any other records or writings of a local governmental entity.

2. ''Governing body'' means the governing body of a local governmental entity.

3. ''Local governmental entity'' means a county, an incorporated city, an unincorporated town, a township, a school district or any other public district or agency designed to perform local governmental functions.

4. ''Old records'' means documents, instruments, papers, books, pamphlets or any other records or writings of a local governmental entity which are retained for any purpose by the local governmental entity beyond the minimum [retention] period *for retention* established by the division [of archives.] *or for 5 years or more, whichever is earlier.*''.

Amend sec. 3, page 2, line 10, by deleting ''body,'' and inserting: ''body [,] *and the state librarian,*''.

Amend sec. 3, page 2, line 11, by deleting ''of archives.'' and inserting ''. [of archives.]''.

Amend sec. 3, page 2, by deleting lines 17 through 22 and inserting: ''of submission to the division . [of archives.]

3. The division may return the records so submitted, or any part thereof, if they have no historical or permanent value.

4. Records so submitted may be reclaimed, in whole or in part, by the local government if:

(a) The division did not acquire title to them in an agreement between the state librarian and the local government; and

(b) The local government serves written notice upon the division of its intention to reclaim the records and pays the cost of transportation for the return.''.

Amend the bill as a whole by adding a new section, designated section 3.5, following section 3, to read as follows:

''Sec. 3.5. NRS 239.124 is hereby amended to read as follows:

239.124 [Except as provided in NRS 239.051, 239.100, 239.110 and 239.120, and except as may be specifically authorized by the special charter of any incorporated city, NRS 239.121 to 239.123, inclusive, constitutes the exclusive procedure for destruction or] *The procedures set forth in NRS 239.051, 239.110 and 239.123, and any procedure specifically authorized by the special charter of an incorporated city, constitute the procedures for* disposition by a local governmental entity of any old records [of the entity] which have been retained by the entity for any purpose [, and destruction or] . *The* disposition thereof must not occur except [by compliance with that procedure.] *in compliance with one of those procedures.*''.

Amend sec. 4, page 2, line 24, by deleting ''and 6'' and inserting: '', 5.3, 5.6, 6, 6.3 and 6.6''.

Amend sec. 5, page 2, line 26, by deleting ''*donated*'' and inserting ''*deposited*''.

Amend sec. 5, page 2, line 27, by deleting ''*of archives*''.

Amend sec. 5, page 2, line 29, by deleting ''*donation,*'' and inserting ''*agreement,*''.

Amend the bill as a whole by renumbering section 6 as section 6.6 and adding new sections, designated sections 5.3, 5.6, 6 and 6.3, following section 5, to read as follows:

''Sec. 5.3. *1. Except as otherwise provided in subsection 2, the state librarian shall establish and administer a program for the efficient and economical creation, use, maintenance, retention, preservation and disposition of the records of the executive branch of the government of the State of Nevada.*

2. The director of the department of transportation may establish his own program for the management of the department's records, if he confers with the state librarian regarding the program. The program must incorporate generally accepted practices for managing records.

Sec. 5.6. *The state librarian may:*

1. Adopt regulations and establish standards, procedures and techniques for the effective management of records.

2. Make continuing surveys of current practices for the management of records and recommend improvements in those practices, including the use of space, equipment and supplies to create, maintain and store records.

3. Establish standards for the preparation of schedules providing for the retention of state records of continuing value and for the prompt

and orderly disposition of state records which no longer possess sufficient administrative, fiscal, legal or research value to warrant their further retention.

4. Establish, maintain and operate a center for storing and retrieving records for state agencies pending their acceptance by the division or their disposition in any other manner prescribed by law.

5. Establish a program for the control and management of forms, files, reports, directives and correspondence.

6. Establish a program of planning and preparation to assist state agencies and local governments in providing protection for records essential for the continuation or reestablishment of government in the event of a disaster.

7. Provide advice and technical assistance to state agencies, local governmental entities and, if requested, the legislative and judicial branches of state government concerning any aspect of managing records.

8. Through the division, inspect the physical nature of any governmental records in the custody of a state or local governmental agency which is not confidential or privileged.

9. With the approval of the state board of examiners, bring an action to obtain possession of the records of a state or local governmental agency which are:

(a) Of historical value and are not being properly cared for; or

(b) Privately held.

In an action to recover a record which is privately held, it is rebuttably presumed that a governmental record which appears to be the original of a document received or the file copy of a document made by a governmental agency is governmental property.

Sec. 6. *Public records acquired by the division which have been declared by law to be confidential must remain confidential for 50 years, or if the record relates to a natural person until his death, whichever is later, unless another period has been fixed by specific statute.*

Sec. 6.3. *1. The records of the governor's office, which include correspondence sent or received by the governor or employees of his office in the performance of governmental duties, are the property of the State of Nevada and must be transferred to the division before the governor leaves office.*

2. The division shall make the records of a former governor available for inspection, except:

(a) If that correspondence identifies or can be readily associated with the identity of any person other than a public officer or employee acting in his official capacity, the name and facts which identify that person must be deleted before the correspondence is disclosed, unless the person so named or identified is deceased or gives his prior written permission for the disclosure.

(b) Any agreement between a former governor and the division made before the passage of this act which provides for a period of confidentiality, is unaffected by the provisions of this section.

(c) Records of the governor's office which are transferred to the division during the governor's term of office remain in the custody of the governor and are not subject to the provisions of subsection 2 until after he leaves office.''.

Amend sec. 6, page 2, line 35, by deleting ''*of archives*''.

Amend sec. 7, page 2, by deleting lines 42 and 43 and inserting:

''378.005 As used in this chapter, [''division of archives''] ''*division*'' means the division of [state, county and municipal] archives *and records* of the Nevada state''.

Amend the bill as a whole by adding a new section, designated section 7.5, following section 7, to read as follows:

''Sec. 7.5. NRS 378.230 is hereby amended to read as follows:

378.230 1. The division of archives *and records* is hereby created in the Nevada state library. The division is administered by the state librarian.

2. It is the intent of the legislature that the division, in carrying out its functions , [of preserving, maintaining and coordinating state, county and municipal archival material,] follow accepted [standards] *:*

(a) Standards of archival practice to assure maximum accessibility for the general public [.] *; and*

(b) Procedures for the management of records to increase the efficiency of the system of governmental records and reduce the administrative costs associated with the maintenance, use, retention and disposition of records.''.

Amend the bill as a whole by adding thereto a new section, designated section 8.5, following section 8, to read as follows:

''Sec. 8.5. NRS 378.250 is hereby amended to read as follows:

378.250 The state librarian may:

1. Receive into the archives any material from a state agency if he finds that it is of historical value.

2. With the approval of the state board of examiners, return to the state agency from which it was received, material in the archives which he finds is not of historical value.

3. Receive into the archives any material which has been directed to be deposited in the archives by an order or resolution of the governing body of a local governmental entity, if he finds that it is of historical value.

4. With the approval of the state board of examiners, turn over to the Nevada historical society , *Nevada state museum or the University of Nevada System* any material in the archives which he finds to be surplus, not properly in the archives, or appropriate to be kept [in the custody of the Nevada historical society.] *elsewhere.*

5. Expend any gift of money he is authorized to accept for the purpose specified by the donor or, if no purpose is specified, in any manner which will further the purposes of the division . [of archives.]''.

Amend sec. 10, page 3, line 26, after ''archives'' by inserting ''*and records*''.

Amend sec. 10, page 4, line 5, before ''or'' by inserting an open bracket.

Amend sec. 10, page 4, line 7, after "ever," by inserting a closed bracket.

Amend the bill as a whole by adding a new section, designated section 13, following section 12, to read as follows:

"Sec. 13. NRS 239.100 and 239.120 are hereby repealed.".

Amend the title of the bill, fifth line, after "archives," by inserting: "renaming the division of archives of the Nevada state library; providing for the establishment of programs for the efficient and economical management of records;".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Assemblyman Dini moved that Assembly Bill No. 321 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 335.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 619.

Amend the bill as a whole by renumbering section 1 as section 10 and adding new sections designated sections 1 through 9, following the enacting clause, to read as follows:

"Section 1. The legislature declares that the purpose of this act is to:

1. Benefit and promote the welfare of all the people of the State of Nevada.

2. Promote the efficient, orderly and economical conduct of the various activities for the encouragement, advancement and protection of mining and the possible production of geothermal energy, oil, gas and coal in this state.

3. Support, assist and encourage large and small mining interests, through the principles of private enterprise and individual initiative, in the discovery and development of the state's mineral resources.

4. Preserve an equitable and workable system of discovery and acquisition of mineral deposits and interests in and on the public lands, while retaining and defending the historic right of all citizens to free access to and across public lands for all lawful pursuits and purposes.

5. Achieve an equitable and reasonable balance between mineral and other legitimate interests in the realistic utilization of the public land and its surface and subsurface resources.

6. Study means and carry out programs to assist the operators of small mines in the acquisition of or access to milling and smelting facilities to process ores or concentrates into a marketable product.

Sec. 2. Chapter 513 of NRS is hereby amended by adding thereto the provisions set forth as sections 3 to 9, inclusive, of this act.

Sec. 3. *1. The commission to conserve mineral resources, composed of seven members appointed by the governor, is hereby created.*

2. The governor shall appoint:

(a) Two persons who are familiar with mining;

(b) One person who is familiar with the production of oil and gas;

(c) One person who is familiar with exploration for and extraction and development of minerals;

(d) Two persons who are familiar with the situations unique to small-scale mining and prospecting; and

(e) One member to represent the general public.

3. Not more than two members of the commission may be residents of the same county.

4. The members of the commission shall serve terms of 4 years, except when appointed to fill unexpired terms.

Sec. 4. *Each member of the commission is entitled to receive a salary of $60 for each day while engaged in the business of the commission and the travel expenses and subsistence allowances provided by law.*

Sec. 5. *1. The members of the commission shall select a chairman from among their number who shall serve at the pleasure of the commission.*

2. The executive director shall serve as secretary of the commission and shall keep the minutes of its proceedings.

Sec. 6. *1. The commission shall meet at such times and at such places as is specified by the call of the chairman or a majority of the commission, but a meeting of the commission must be held at least once every 4 months. In case of emergency, special meetings may be called by the chairman or by the executive director.*

2. Four members of the commission constitute a quorum for transacting the business of the commission.

3. The minutes of each meeting of the commission must be filed with the department.

Sec. 7. *The commission shall:*

1. Keep itself informed of and interested in the entire field of legislation and administration charged to the department.

2. Report to the governor and the legislature on all matters which it may deem pertinent to the department, and concerning any specific matters previously requested by the governor.

3. Advise and make recommendations to the governor and the legislature concerning the policy of this state relating to minerals.

4. Formulate the administrative policies of the department and its various divisions.

5. Adopt regulations necessary for carrying out the duties of the commission and the department.

Sec. 8. *1. The department of minerals is hereby created.*

2. The chief administrative officer of the department is the executive director, who must be appointed by the governor from a list of three nominees selected by the commission.

3. The executive director must be a graduate of an accredited college or university and must have at least 5 years' experience in the exploration for or the production or conservation of minerals.

4. The executive director is in the unclassified service of the state and serves at the pleasure of the commission.

5. The executive director shall devote his entire time and attention to his duties as a public officer and shall not pursue any other business or occupation or hold any other office of profit.

Sec. 9. *1. The executive director shall direct and supervise all administrative and technical activities of the department.*

2. The executive director may, within such limitations as may be provided by law, organize the department into various divisions and, from time to time, alter the organization and reassign responsibilities and duties as he may deem appropriate.''.

Amend section 1, page 1, line 4, by placing an open bracket before ''Administrator''.

Amend section 1, page 1, line 6, by deleting the open bracket.

Amend section 1, page 1, by deleting lines 7 and 8 and inserting: ''department of conservation and natural resources.] *''Commission'' means the commission to conserve mineral resources.*

2. ''Department'' means the department of minerals.

3. ''Executive director'' means the executive director of the department.''.

Amend the bill as a whole by deleting sections 2 through 4, renumbering section 5 as section 12, and adding a new section, designated section 11, following section 1, to read as follows:

''Sec. 11. NRS 513.051 is hereby amended to read as follows:

513.051 The [division] *department* may request assistance from the bureau of mines and geology of the State of Nevada, the state analytical laboratory and the state engineer and cooperate with them in carrying out the purposes of this chapter.''.

Amend sec. 5, page 3, line 2, by deleting ''6 to 15,'' and inserting ''13 to 40,''.

Amend the bill as a whole by renumbering section 6 as section 13.

Amend sec. 7, page 3, by deleting lines 8 and 9 and inserting:

''Sec. 14. *''Department'' means the department of minerals.*''.

Amend the bill as a whole by renumbering sections 8 through 15 as sections 15 through 22.

Amend the bill as a whole by renumbering section 16 as section 41 and adding new sections designated sections 23 through 40, following section 15, to read as follows:

''Sec. 23. *As used in sections 24 to 40, inclusive, of this act, ''unit production'' includes all oil and gas produced from a unit area from and after the effective date of the order of the department creating the unit regardless of the well or tract within the unit area from which it is produced.*

Sec. 24. *1. To prevent, or to assist in preventing waste, as prohibited by this chapter, to ensure a greater ultimate recovery of oil and gas, and to protect the correlative rights of persons owning interests*

in the tracts of land affected, those persons may validly integrate their interests to provide for the unitized management, development and operation of those tracts of land as a unit. Where those persons have not agreed so to integrate their interests, the department, upon proper petition, after notice and hearing, shall make and enforce such orders and do such things as may be necessary or proper to carry out the purposes of sections 25 to 40, inclusive, of this act.

2. The petition must set forth a description of the proposed unit area with a map or plat thereof attached, must allege the existence of the facts required to be found by the department as provided in section 25 of this act and must have attached thereto a recommended plan of unitization applicable to the proposed unit area and which the petitioner considers to be fair, reasonable and equitable.

Sec. 25. *If upon the filing of a petition and after notice and hearing, the department finds that:*

1. The unitized management, operation and further development of a pool or portion thereof is reasonably necessary in order effectively to carry on pressure control, pressure-maintenance or repressuring operations, cycling operations, water-flooding operations, or any combination thereof, or any other form of joint effort calculated to substantially increase the ultimate recovery of oil and gas from the pool;

2. One or more of the unitized methods of operation as applied to the pool or portion thereof are feasible, will prevent waste and will, with reasonable probability, result in the increased recovery of substantially more oil and gas from the pool than would otherwise be recovered;

3. The estimated additional cost, if any, of conducting those operations will not exceed the value of the additional oil and gas so recovered; and

4. The unitization and adoption of one or more of the unitized methods of operation is for the common good and will result in the general advantage of the owners of the oil and gas rights within the pool or the portion thereof directly affected,

it shall make a finding to that effect and make an order creating the unit and providing for the unitization and unitized operation of the pool or portion thereof described in the order, all upon such terms and conditions, as may be shown by the evidence to be fair, reasonable, equitable, and which are necessary or proper to protect, safeguard and adjust the respective rights and obligations of the several persons affected, including royalty owner, owners of overriding royalties, oil and gas payments, carried interests, mortgages, lien claimants and others, as well as the lessees.

Sec. 26. *1. The order of the department must define the area of the pool or portion thereof to be included within the unit area and prescribe with reasonable detail the plan of unitization applicable thereto.*

2. Each unit and unit area must be limited to all or a portion of a single pool. Only so much of a pool as has been defined and determined to be productive of oil and gas by actual drilling operations may be so included within the unit area. A unit may be created to embrace less than the whole of a pool only where it is shown by the evidence

that the area to be so included within the unit area is of such size and shape as may be reasonably required for the successful and efficient conduct of the unitized method of operation for which the unit is created, and that the conduct thereof will have no material adverse effect upon the remainder of the pool.

Sec. 27. *The plan of unitization for each such unit and unit area must be one suited to the needs and requirements of the particular unit dependent upon the facts and conditions found to exist with respect thereto. In addition to such other terms, provisions, conditions and requirements found by the department to be reasonably necessary or proper to effectuate or accomplish the purpose of this chapter, and subject to the further requirements of this section, each such plan of unitization must contain fair, reasonable and equitable provisions for:*

1. The efficient unitized management or control of the further development and operation of the unit area for the recovery of oil and gas from the pool affected. Under such a plan the actual operations within the unit area may be carried on in whole or in part by the unit itself, or by one or more of the lessees within the unit area as the unit operator subject to the supervision and direction of the unit, dependent upon what is most beneficial or expedient. The designation of the unit operator must be by vote of the lessees in the unit in a manner provided in the plan of unitization and not by the department.

2. The division of interest or formula for the apportionment and allocation of the unit production among and to the several separately owned tracts within the unit area such as will reasonably permit persons otherwise entitled to share in or benefit by the production from such separately owned tracts to produce and receive, in lieu thereof, their fair, equitable and reasonable share of the unit production or other benefits thereof. A separately owned tract's fair, equitable and reasonable share of the unit production must be measured by the value of each such tract for oil and gas purposes and its contributing value to the unit in relation to like values of other tracts in the unit, taking into account acreage, the quantity of oil and gas recoverable therefrom, location on the structure, its probable productivity of oil and gas in the absence of unit operations, the burden of operation to which the tract will or is likely to be subjected, or so many of such factors, or such other pertinent engineering, geological or operating factors, as may be reasonably susceptible of determination.

3. The manner in which the unit and the further development and operation of the unit area will be financed and the basis, terms and conditions on which the cost and expense thereof will be apportioned among and assessed against the tracts and interests made chargeable therewith, including a detailed accounting procedure governing all charges and credits incident to the operations. Upon and subject to such terms and conditions as to time and rate of interest as is fair to all concerned, reasonable provisions must be made in the plan of unitization for carrying or otherwise financing lessees who are unable promptly to meet their financial obligations in connection with the unit.

4. The procedure and basis upon which wells, equipment and other properties of the several lessees within the unit area are to be taken

over and used for unit operations, including the method of arriving at the compensation therefor, or of otherwise proportionately equalizing or adjusting the investment of the several lessees in the project as of the effective date of unit operation.

5. The creation of an operating committee to have general overall management and control of the unit and the conduct of its business and affairs and the operations carried on by it, together with the creation or designation of such other subcommittees, boards, or officers to function under the authority of the operating committee as may be necessary, proper or convenient in the efficient management of the unit, defining the powers and duties of all those committees, boards and officers, and prescribing their tenure and time and method for their selection.

6. The time when the plan of unitization becomes effective.

7. The time when and the conditions under which and the method by which the unit may be dissolved and its affairs wound up.

Sec. 28. *1. No order of the department creating a unit and prescribing the plan of unitization applicable thereto becomes effective unless:*

(a) The plan of unitization has been signed or in writing ratified, or approved by the lessees of record of not less than 62.5 percent of the unit area affected thereby and by the owners of record or not less than 62.5 percent (exclusive of royalty interests owned by lessees or by subsidiaries of any lessee) of the normal one-eighth landowners' royalty interest in and to the unit area; and

(b) The department has made a finding either in the order creating the unit or in a supplemental order that the plan of unitization has been so signed, ratified or approved by lessees and royalty owners owning the required percentage interest in and to the unit area.

2. Where the plan of unitization has not been so signed, ratified or approved by the lessees and royalty owners owning the required percentage interest in and to the unit area at the time the order creating the unit is made, the department shall, upon petition and notice, hold such additional and supplemental hearings as may be requested or required to determine if and when the plan of unitization has been so signed, ratified or approved by lessees and royalty owners owning the required percentage interest in and to the unit area and shall, in respect to the hearing, make and enter a finding of its determination in that regard. If lessees and royalty owners, or either, owning the required percentage interest in and to the unit area have not so signed, ratified or approved the plan of unitization within a period of 6 months after the date on which the order creating the unit is made, the order creating the unit ceases to be of further effect and must be revoked by the department.

Sec. 29. *1. Except as otherwise expressly provided in sections 23 to 40, inclusive, of this act, all proceedings held under this chapter, including the filing of petitions, the giving of notices, the conduct of hearings and other action taken by the department must be in the form and manner and in accordance with the procedure and procedural requirements provided in NRS 522.090.*

2. Such additional notice must be given as may be required by the department.

Sec. 30. *After the effective date of an order of the department creating a unit and prescribing the plan of unitization applicable thereto, the operation of any well producing from the pool or portion thereof within the unit area defined in the order by persons other than the unit or persons acting under its authority or except in the manner and to the extent provided in the plan of unitization is unlawful.*

Sec. 31. *The obligation or liability of the lessees or other owners of the oil and gas rights in the several separately owned tracts for the payment of unit expense is at all times several and not joint or collective and in no event is a lessee or other owner of the oil and gas rights in the separately owned tract chargeable with, obligated or liable, directly or indirectly, for more than the amount apportioned, assessed or otherwise charged to his interest in such separately owned tract pursuant to the plan of unitization and then only to the extent of the lien provided for in section 32 of this act.*

Sec. 32. *1. Subject to such reasonable limitations as may be set out in the plan of unitization, the unit has a first and prior lien upon the leasehold estate and all other oil and gas rights (exclusive of a one-eighth landowners' royalty interest) in and to each separately owned tract, the interest of the owners thereof in and to the unit production and all equipment in the possession of the unit, to secure the payment of the amount of the unit expense charged to and assessed against the separately owned tract.*

2. The interest of the lessee or other persons who by lease, contract or otherwise are obligated or responsible for the cost and expense of developing and operating a separately owned tract for oil and gas in the absence of unitization, is primarily responsible for and charged with any assessment for unit expense made against the tract and resort may be had to overriding royalties, oil and gas payments, royalty interests in excess of one-eighth of the production, or other interests which otherwise are not chargeable with that cost, only if the owner of interest primarily responsible fails to pay the assessment of the production to the credit thereof, or production is insufficient for that purpose.

3. If the owner of any royalty interest, overriding royalty, oil or gas payment, or any other interest which under the plan of unitization is not primarily responsible therefor pays in whole or in part the amount of an assessment for unit expense for the purpose of protecting that interest, or the amount of the assessment in whole or in part is deducted from the unit production to the credit of that interest, the owner thereof is to the extent of the payment or deduction subrogated to all the rights of the unit with respect to the interest or interests primarily responsible for the assessment.

4. A one-eighth part of the unit production allocated to each separately owned tract must in all events be regarded as royalty to be distributed to and among, or the proceeds thereof paid to, the royalty owners free and clear of all unit expense and free of any lien therefor.

Sec. 33. *Property rights, leases, contracts and all other rights and*

obligations must be regarded as amended and modified to the extent necessary to conform to the provisions and requirements of this chapter and to any valid and applicable plan of unitization or order of the department made and adopted pursuant to this chapter, but otherwise to remain in effect.

Sec. 34. *1. This chapter does not require a transfer to or vesting in the unit of title to the separately owned tracts or leases within the unit area, other than the right to use and operate them to the extent set out in the plan of unitization; nor may the unit be regarded as owning the unit production. The unit production and the proceeds from the sale thereof are owned by the several persons to whom they are allocated under the plan of unitization.*

2. Neither the unit production or proceeds from the sale thereof, nor the other receipts may be treated or taxed as income or profits of the unit; but instead, all such receipts are the income of the several persons to whom or to whose credit they are payable under the plan of unitization. To the extent the unit may receive or disburse the receipts it shall only do so as a common administrative agent of the persons to whom they are payable.

Sec. 35. *1. The amount of the unit production allocated to each separately owned tract within the unit, and only that amount, regardless of the well or wells in the unit area from which it may be produced and regardless of whether it be more or less than the amount of the production from the well or wells, if any, on any such separately owned tract, must be considered as production from the separately owned tract, and, except as may be otherwise authorized in this chapter, or in the plan of unitization approved by the department, must be distributed among or the proceeds thereof paid to the several persons entitled to share in the production from the separately owned tract in the same manner, in the same proportions, and upon the same condition that they would have participated and shared in the production or proceeds thereof from such separately owned tract had not the unit been organized, and with the same legal effect.*

2. If adequate provisions are made for the receipt thereof, the share of the unit production allocated to each separately owned tract must be delivered in kind to the persons entitled thereto by virtue of ownership of oil and gas rights therein or by purchase from the owners subject to the rights of the unit to withhold and sell it in payment of unit expense pursuant to the plan of unitization, and subject further to the call of the unit on such portions of the gas for operating purposes as may be provided in the plan of unitization.

Sec. 36. *All property, whether real or personal, which the unit may in any way acquire, hold or possess, may not be acquired, held or possessed by the unit for its own account but must be so acquired, held and possessed by the unit for the account and as agent of the several lessees and is the property of the lessees as their interests may appear under the plan of unitization, subject to the right of the unit to the possession, management, use or disposal of the property in the proper conduct of its affairs, and subject to any lien the unit may have on it to secure the payment of unit expense.*

Sec. 37. *No agreement or plan for the development and operation of a field or pool of oil or gas as a unit, if approved by the department for the purpose of conserving oil or gas, violates any of the statutes of this state prohibiting monopolies or acts, arrangements, agreements, contracts, combinations or conspiracies in restraint of trade or commerce.*

Sec. 38. *Operations carried on under and in accordance with the plan of unitization must be considered as a fulfillment of a compliance with all of the provisions, covenants and conditions, express or implied, of the several oil and gas leases upon lands included with the unit area, or other contracts pertaining to the development thereof insofar as those leases or other contracts may relate to the pool or portion thereof included in the unit area. Wells drilled or operated on any part of the unit area, no matter where located, must for all purposes be regarded as wells drilled on each separately owned tract within the unit area.*

Sec. 39. *Sections 23 to 40, inclusive, of this act and any plan of unitization do not increase or decrease the implied covenants of a lease in respect to a common source of supply or lands not included within the unit area of a unit.*

Sec. 40. *The unit area of a unit may be enlarged to include adjoining portions of the same pool, including the unit area of another unit, and a new unit created for the unitized management, operation and further development of the enlarged unit area, or the plan of unitization may be otherwise amended, all in the same manner, upon the same conditions and subject to the same limitations as provided in sections 23 to 40, inclusive, of this act with respect to the creation of a unit in the first instance, except that where the amendment to the plan of unitization relates only to the rights and obligations as between lessees the requirement that it be signed, ratified and approved by royalty owners of record of not less than 62.5 percent of the unit area does not apply.*''.

Amend sec. 16, page 5, line 44, by deleting ''*6 to 15,*'' and inserting ''*13 to 22,*''.

Amend the bill as a whole by renumbering section 17 as section 52 and adding new sections designated sections 42 through 51, following section 16, to read as follows:

''Sec. 42. NRS 522.040 is hereby amended to read as follows:

522.040 1. The [division] *department* has jurisdiction and authority over all persons and property, public and private, necessary to effectuate the purposes and intent of this chapter.

2. The [division] *department* shall make investigation to determine whether waste exists or is imminent, or whether other facts exist which justify or require action by it.

3. The [division] *department* shall adopt regulations, make orders and take other appropriate action to effectuate the purposes of this chapter.

4. The [division] *department* may:

(a) Require:

(1) Identification or ownership of wells, producing leases, tanks, plants and drilling structures.

(2) The making and filing of reports, well logs and directional surveys. Logs of exploratory or "wildcat" wells marked "confidential" must be kept confidential for 6 months after the filing thereof, unless the owner gives written permission to release those logs at an earlier date.

(3) The drilling, casing and plugging of wells in such a manner as to prevent the escape of oil or gas out of one stratum into another, the intrusion of water into an oil or gas stratum, the pollution of fresh water supplies by oil, gas or salt water, and to prevent blowouts, cavings, seepages and fires.

(4) The furnishing of a reasonable bond with good and sufficient surety conditioned for the performance of the duty to plug each dry or abandoned well or the repair of wells causing waste.

(5) The operation of wells with efficient gas-oil and water-oil ratios, and to fix these ratios.

(6) The gauging or other measuring of oil and gas to determine the quality and quantity thereof.

(7) That every person who produces oil or gas in this state [shall] keep and maintain for a period of 5 years within this state complete and accurate record of the quantities thereof, which must be available for examination by the [division] *department* or its agents at all reasonable times.

(b) Regulate, for conservation purposes:

(1) The drilling, producing and plugging of wells.

(2) The shooting and chemical treatment of wells.

(3) The spacing of wells.

(4) The disposal of salt water, nonpotable water and oil field wastes.

(5) The contamination or waste of underground water.

(c) Classify wells as oil or gas wells for purposes material to the interpretation or enforcement of this chapter.

Sec. 43. NRS 522.050 is hereby amended to read as follows:

522.050 A person desiring to drill a well in search of oil or gas shall notify the [division of such] *department of that* intent on a form prescribed by the [division] *department* and shall pay a fee of $50 for a permit for each well. Upon receipt of notification and fee, the [division] *department* shall promptly issue such a person a permit to drill, unless the drilling of the well is contrary to law or a [rule,] regulation or order of the [division.] *department.* The drilling of a well is prohibited until a permit to drill is obtained in accordance with the provisions of this chapter.

Sec. 44. NRS 522.060 is hereby amended to read as follows:

522.060 1. For the prevention of waste, to protect and enforce the correlative rights of lessees in a pool, and to avoid the augmenting and accumulation of risks arising from the drilling of an excessive number of wells, or the reduced recovery which might result from too small a number of wells, the [division] *department* shall, after a hearing,

establish a drilling unit or units for each pool. The establishment of a unit for gas [shall] *must* be limited to the production of gas.

2. Each well permitted to be drilled on a drilling unit [shall] *must* be drilled under such [rules and] regulations and in accordance with such spacing pattern as the [division shall prescribe] *department prescribes* for the pool in which the well is located. Exceptions to the [rules] *regulations* and spacing pattern may be granted where it is shown, after notice and hearing, that the unit is partly outside the pool, or for some other reason, a well so located on the unit would be nonproductive, or topographical conditions are such as to make the drilling at such a location unduly burdensome. [In the event] *If* an exception is granted, the [division] *department* shall take such action as will offset any advantage which the person securing the exception may have over other producers by reason of the drilling of the well as an exception, and so that drainage from developed units to the tract with respect to which the exception is granted will be prevented or minimized, and the producer of the well drilled as an exception will be allowed to produce no more than a just and equitable share of the oil and gas in the pool.

3. When two or more separately owned tracts of land are embraced within an established drilling unit, persons owning the drilling rights therein and the right to share in the production therefrom may agree to pool their interests and develop their lands as a drilling unit. [In the event such] *If those* persons do not agree to pool their interests, the [division] *department* may, for the prevention of waste, for the protection of correlative rights, or to avoid the drilling of unnecessary wells, enter an order pooling and integrating their interests for the development of their lands as a drilling unit. Orders effectuating such pooling [shall] *must* be made after notice and hearing, and [shall] *must* be upon terms and conditions which will afford to the owner of each tract the opportunity to recover or receive his just and equitable share of the oil and gas in the pool without unnecessary expense. Operations incident to the drilling of a well upon any portion of a unit covered by a pooling order shall be deemed for all purposes to be the conduct of [such] *the* operation upon each separately owned tract in the unit by the several lessees thereof. The portion of the production allocated to the lessee of each tract included in a drilling unit formed by a pooling order shall, when produced, be considered as if it had been produced from [such] *the* tract by a well drilled thereon. [In the event such]

4. If the pooling is effectuated, the cost of development and operation of the pooled unit chargeable by the operator to the other interested lessees [shall be] *is* limited to the actual and reasonable expenditures required for [such] *that* purpose, including a reasonable charge for supervision. As to lessees who refuse to agree upon pooling, the order [shall] *must* provide for reimbursement for costs chargeable to each lessee out of, and only out of, production from the unit belonging to [such] *the* lessee. In the event of a dispute relative to [such] *those* costs, the [division] *department* shall, upon notice to all interested parties and hearing thereon, determine the proper costs. Appeals may be taken from such determination as from any other order of the [division.] *department.* If one or more of the lessees [shall] drill and operate, or

pay the expense of drilling and operating, the well for the benefit of others, then in addition to any other right conferred by the pooling order, the lessee or lessees so drilling or operating [shall] have a lien on the share of production from the unit accruing to the interest of each of the other lessees for the payment of his proportionate share of [such] *the* expenses. All the oil and gas subject to the lien, or so much thereof as [shall be] *is* necessary, [shall] *must* be marketed and sold by the creditor, and the proceeds applied in payment of the expenses secured by [such] *the* lien, with the balance, if any, payable to the debtor.

[4. The division] *5. The department* shall, in all instances where a unit has been formed out of lands or areas of more than one ownership, require the operator, upon request of a lessee, but subject to the right of the operator to market production and collect the proceeds with respect to a lessee in default, as provided in subsection [3 of this section,] *4,* to deliver to the lessee or his assigns his proportionate share of the production from the well common to the drilling unit. The lessee receiving his share shall provide at his own expense proper receptacles for the receipt and storage thereof.

[5. In the event] *6. If* the persons owning the drilling or other rights in separate tracts embraced within a drilling unit fail to agree upon the pooling of the tracts and the drilling of a well on the unit, and if the [division] *department* is without authority to require pooling as provided by this section, then subject to all other applicable provisions of this chapter, the lessee of each tract embraced within the drilling unit may drill on his tract, but the allowable production from the tract [shall be] *is* such proportion of the allowable production for the full drilling unit as the area of [such] *the* separately owned tract bears to the full drilling unit.

Sec. 45. NRS 522.080 is hereby amended to read as follows:

522.080 The use of gas from a well producing gas only, or from a well which is primarily a gas well, for the manufacture of carbon black or similar products predominantly carbon, is declared to constitute waste prima facie, and [such] *the* gas well [shall] *must* not be used for any such purpose unless it is clearly shown at a public hearing to be held by the [division,] *department,* on application of the person desiring to use [such] *the* gas, that waste would not take place by the use of [such] *the* gas for the purpose [or purposes] applied for, and that gas which would otherwise be lost is now available for [such purpose or purposes,] *that purpose,* and that the gas to be used cannot be used for a more beneficial purpose, such as for light or fuel , [purposes,] except at prohibitive cost, and that it would be in the public interest to grant [such] *the* permit. If the [division] *department* finds that the applicant has clearly shown a right to use [such] *the* gas for the purpose [or purposes] applied for, it shall issue a permit upon such terms and conditions as may be found necessary in order to permit the use of the gas and at the same time require compliance with the intent of this section.

Sec. 46. NRS 522.090 is hereby amended to read as follows:

522.090 1. The [division] *department* shall make no regulation or order, or amendment thereof, except in an emergency, without a public

hearing upon at least 10 days' notice. The public hearing [shall] *must* be held at such time and place as may be prescribed by the [division,] *department,* and any interested person is entitled to be heard.

2. Any notice required by this chapter [shall] *must* be given by personal service on all interested persons [; and in the event such] *, and if* personal service cannot be made, then substituted service may be made in the manner provided for substitute service of process under the Nevada Rules of Civil Procedure.

3. The [division] *department* may act upon its own motion, or upon the petition of any interested person. On the filing of a petition concerning any matter within the jurisdiction of the [division, the division] *department, the department* shall promptly fix a date for a hearing thereon, and shall cause notice of the hearing to be given. The hearing [shall] *must* be held without undue delay after the filing of the petition. The [division] *department* shall enter its order within 30 days after the hearing.

Sec. 47. NRS 522.100 is hereby amended to read as follows:

522.100 1. The [division] *department* may summon witnesses and require the production of records, books and documents for examination at any hearing or investigation conducted by it. No person may be excused from attending and testifying, or from producing books, papers and records before the [division] *department* or a court, or from obedience to the subpena of the [division] *department* or a court, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture. This section does not require any person to produce any books, papers or records, or to testify in response to any inquiry not pertinent to some question lawfully before the [division] *department* or court for determination. No natural person may be subjected to criminal prosecution or to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which, in spite of his objection, he may be required to testify or produce evidence, documentary or otherwise, before the [division] *department* or court, or in obedience to its subpena, but no person testifying is exempt from prosecution and punishment for perjury committed in so testifying.

2. In case of failure or refusal on the part of any person to comply with the subpena issued by the division, or in case of the refusal of any witness to testify as to any matter regarding which he may be interrogated, any court of record in the state, upon application of the division, may issue an attachment for that person and compel him to comply with the subpena, and to attend before the division and produce his records, books and documents for examination, and to give his testimony. The court may punish for contempt as in the case of disobedience to a like subpena issued by the court, or for refusal to testify therein.

Sec. 48. NRS 522.110 is hereby amended to read as follows:

522.110 Within 20 days after written notice of the entry of any order or decision of the [division,] *department,* or such further time as the [division] *department* may grant for good cause shown, any person affected thereby may file with the [division] *department* an application

for the rehearing in respect of any matter determined by [such] *the* order or decision, setting forth the respect in which [such] *the* order or decision is believed to be erroneous. The [division] *department* shall grant or refuse any such application in whole or in part within 10 days after [the same] *it* is filed, and failure to act thereon within such period is deemed a refusal thereof and a final disposition of [such application. In the event] *the application. If* the rehearing is granted, the [division] *department* may enter such new order or decision after rehearing as may be required under the circumstances.

Sec. 49. NRS 522.120 is hereby amended to read as follows:

522.120 1. Any person who willfully violates any provision of this chapter, or any [rule,] regulation or order of the [division shall be] *department is* subject to a penalty of not more than $1,000 for each act of violation and for each day that such violation continues, unless the penalty for [such] *the* violation is otherwise provided for and made exclusive in this chapter.

2. If any person, for the purpose of evading this chapter, or any [rule,] regulation or order of the [division, shall make or cause] *department, make or causes* to be made any false entry in any record, account or memorandum required by this chapter, or by any such [rule,] regulation or order, or [shall omit, or cause] *omits or causes* to be omitted, from any such record, account or memorandum, full, true and correct entries as required by this chapter, or by any such [rule,] regulation or order, or [shall remove] *removes* from this state or [destroy, mutilate, alter or falsify] *destroys, mutilates, alters or falsifies* any such record, account or memorandum, [such person shall be] *that person is* guilty of a gross misdemeanor.

3. Any person knowingly aiding or abetting any other person in the violation of any provision of this chapter, or any [rule,] regulation or order of the [division shall be] *department is* subject to the same penalty as that prescribed by this chapter for the violation by such other person.

4. The penalties provided in this section [shall be] *are* recoverable by suit filed by the attorney general in the name and on behalf of the commission in the district court of the county in which the defendant resides or in which any defendant resides, if there be more than one defendant, or in the district court of any county in which the violation occurred. The payment of any such penalty [shall] *does* not operate to relieve a person on whom the penalty is imposed from liability to any other person for damages arising out of [such] *the* violation.

Sec. 50. NRS 522.130 is hereby amended to read as follows:

522.130 1. Whenever it appears that any person is violating or threatening to violate any provision of this chapter, or any [rule,] regulation or order of the [division, the division] *department, the department* shall bring suit against [such] *that* person in the district court of any county where the violation occurs or is threatened to restrain [such] *the* person from continuing [such] *the* violation or from carrying out the threat of violation. Upon the filing of any such suit, summons issued to [such] *the* person may be directed to the sheriff of any county in this state for service by [such] *the* sheriff or his deputies. In any

such suit, the court [shall have jurisdiction to] *may* grant to the [division,] *department,* without bond or other undertaking, such prohibitory and mandatory injunctions as the facts may warrant.

2. If the [division shall fail] *department fails* to bring suit to enjoin a violation or threatened violation of any provision of this chapter, or any [rule,] regulation or order of the [division,] *department,* within 10 days after receipt of written request to do so by any person who is or will be adversely affected by [such] *the* violation, the person making [such] *the* request may bring suit in his own behalf to restrain [such] *the* violation or threatened violation in any court in which the [division] *department* might have brought suit. If, in [such] *the* suit, the court should hold that injunctive relief should be granted, then the [division shall] *department must* be made a party and [shall] *must* be substituted for the person who brought the suit, and the injunction [shall] *must* be issued as if the [division] *department* had at all times been the plaintiff.

Sec. 51. NRS 522.140 is hereby amended to read as follows:

522.140 *1.* As the State of Nevada is a sovereign state and not disposed to jeopardize or surrender any of its sovereign rights, this chapter [shall apply] *applies* to all lands in the State of Nevada lawfully subject to its police powers . [; provided, it shall apply] *It applies* to lands of the United States or to lands subject to the jurisdiction of the United States only to the extent that control and supervision of conservation of oil and gas by the United States on its lands [shall fail] *fails* to effect the intent and purposes of this chapter and otherwise [shall apply to such] *applies to those* lands to such extent as an officer of the United States having jurisdiction, or his [duly] authorized representative, [shall approve] *approves* any of the provisions of this chapter or the order or orders of the [division] *department* which affects [such] *those* lands . [; and, furthermore, the same shall apply]

2. This chapter applies to any lands committed to a unit agreement approved by the Secretary of the Interior of the United States or his [duly] authorized representative, except that the [division] *department* may, under [such] *the* unit agreements, suspend the application of this chapter or any part of this chapter so long as the conservation of oil and gas and the prevention of waste [as in this chapter provided] is accomplished thereby, but [such suspension shall] *the suspension does* not relieve any operator from making such reports as are necessary or advised to be fully informed as to operations under [such] *the* agreement and as the [division] *department* may require under this chapter.''.

Amend sec. 17, page 6, by deleting lines 2 through 36 and inserting:

''522.150 1. All money collected under the provisions of this chapter must be deposited in the state treasury for credit to the [oil and gas conservation] fund *for the department of minerals* which is hereby created as a special revenue fund. The money in the fund *is appropriated to the department and* must be expended for [the purposes of administering the provisions of this chapter. In addition, any] :

(a) The operating expenses of the department; and

(b) Any expenses in connection with Nevada's affiliation with the Interstate Oil Compact Commission . [must be paid from the fund. All

money in the oil and gas conservation fund is appropriated to the division. The money in the fund must not revert to the general fund at the end of any fiscal period, but remains in the oil and gas conservation fund to cover future operating expenses of the division under this chapter. All money hereby appropriated must be expended under the direction of the division in accordance with the statutes of this state relating to the expenditure of appropriations, and warrants must be drawn against the appropriation as provided by law.]

Any interest earned on the money in the fund must remain in the fund.

2. To pay the expenses of the [administration of this chapter,] *department,* every producer of oil or natural gas in this state shall on or before the last day of each month report to the [division] *department* and to the state treasurer his production in this state of oil in barrels and of natural gas in thousands of cubic feet during the preceding month, and at the same time shall pay to the state treasurer [a tax] *an administrative fee* on each barrel of oil and on every 50,000 cubic feet of natural gas produced and marketed by him during the preceding month. Every person purchasing such oil or natural gas is liable for the payment of the [tax] *administrative fee* per barrel of oil or per 50,000 cubic feet of natural gas, unless it has been paid by the producer. The [tax rate] *administrative fee* is 5 mills per barrel of oil or per 50,000 cubic feet of natural gas.''.

Amend the bill as a whole by deleting sections 18 through 28, renumbering section 29 as section 54, and adding a new section designated section 53, following section 17, to read as follows:

''Sec. 53. NRS 231.130 is hereby amended to read as follows:

231.130 The director shall not interfere with the functions of any other state agencies but must be furnished from time to time, on request, with data and other information from such agencies' records bearing on all matters relative to the objectives of the department. The director shall avail himself of the records and assistance of the state public works board, the employment security department, the [oil, gas and mining board] *department of minerals* and the bureau of mines and geology, the state forester firewarden, the state department of agriculture, the department of transportation, the department of wildlife, the state engineer, the chief of the budget division of the department of administration and the state board of finance, and the heads of such other state agencies as in the opinion of the governor might make a contribution to the work of the department.''.

Amend the bill as a whole by renumbering sections 30 through 34 as sections 56 through 60 and adding a new section designated section 55, following section 29, to read as follows:

''Sec. 55. NRS 232.152 is hereby amended to read as follows:

232.152 1. The governor shall appoint 13 members to the committee as follows:

(a) Each of 10 members [shall] *must* be appointed to represent respectively each of the following entities and [shall] *must* be chosen from a list of three lay persons recommended by each entity:

(1) [Oil, gas and mining board.] *Commission to conserve mineral resources.*

(2) Central committee of Nevada state grazing boards.
(3) Nevada League of Cities.
(4) State board of agriculture.
(5) Board of wildlife commissioners.
(6) State conservation commission.
(7) State environmental commission.
(8) Land use planning advisory council.
(9) State park advisory commission.
(10) Nevada association of county commissioners.

(b) Each of three members [shall] *must* be appointed to represent respectively the interests of each of the following:
(1) Railroads and utilities.
(2) Sportsmen.
(3) Off-road vehicle enthusiasts.

2. The committee shall select one of its members to serve as chairman. The assistant director provided for in NRS 232.157 shall serve as secretary but has no vote.''.

Amend sec. 30, page 9, by deleting lines 8 and 9, and inserting:

''(c) [Administrator of the division of minerals of the state department of conservation and natural resources;] *Executive director of the department of minerals;*''.

Amend sec. 31, page 10, by deleting line 2 and inserting:

''(e) *The executive director of the department of minerals;*''.

Amend sec. 32, page 10, by deleting line 35 and inserting:

''Sec. 58. NRS 232.131, 513.021, 513.031, 513.041, 513.061, 513.071 and 522.070 are hereby''.

Amend sec. 33, page 10, by deleting lines 37 through 41.

Amend sec. 33, page 10, line 42, by deleting ''2.'' and inserting:

''Sec. 59.''.

Amend sec. 33, page 10, line 43, before ''department'' by inserting ''state''.

Amend sec. 33, page 11, line 1, by deleting ''administrator'' and inserting ''executive director''.

Amend sec. 33, page 11, by deleting line 2 and inserting: ''the department of minerals.''.

Amend sec. 34, page 11, line 5, by deleting ''$0.50'' and inserting ''$0.75''.

Amend the bill as a whole by renumbering section 35 as section 62 and adding a new section designated section 61, following section 34, to read as follows:

''Sec. 61. Those persons who are serving as members of the oil, gas and mining board on June 30, 1983, shall serve as the first members of the commission to conserve mineral resources, created by section 3 of this act, for the remainder of the terms they would otherwise have served respectively on the oil, gas and mining board, or until their successors have been appointed and have qualified. For the purposes of this section, these persons are not required to be qualified under section 3 of this act.''.

Amend the bill as a whole by adding a new section designated section 63, following section 35, to read as follows:

"Sec. 63. 1. This section shall become effective upon passage and approval.

2. Section 52 of this act shall become effective upon passage and approval for the purpose of imposing and collecting the administrative fee provided in subsection 2 of that section.

3. For all other purposes:

(a) Sections 1 to 51, inclusive, and sections 53 to 62, inclusive, of this act shall become effective July 1, 1983.

(b) Section 52 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Amend the title of the bill, to read:

"An Act relating to minerals; changing the regulatory authority for minerals; creating the commission to conserve mineral resources and providing for its organization, powers and duties; abolishing the oil, gas and mining board; creating the department of minerals and providing for its organization, powers and duties; abolishing the division of mineral resources of the state department of conservation and natural resources; creating and increasing fees; and providing other matters properly relating thereto.".

Amend the summary of the bill, by deleting "energy and".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Assemblyman Schofield moved that Assembly Bill No. 335 be returned to the Concurrent Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 369.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 651.

Amend the bill as a whole by renumbering section 1 as section 2 and adding a new section, designated section 1, preceding section 1, to read as follows:

"Section 1. NRS 408.111 is hereby amended to read as follows:

408.111 1. The department consists of a director, a deputy director , *a chief engineer* and the following divisions:

(a) Administrative division.

(b) Operations division.

(c) Engineering division.

(d) Planning division.

2. The head of a division is an assistant director. Assistant directors are in the classified service of the state.

Amend section 1, page 1, line 4, after "engineer." by inserting a closed bracket.

Amend section 1, page 1, by deleting lines 5 through 8 and inserting: "*Must hold a master's degree in public or business administration, or the degree of bachelor of science in civil, structural, mechanical or industrial engineering.*

3. Must have had at least 5 years of responsible administrative experience in public or business administration . [or must]

4. Must possess broad [management] skills *as a manager* in areas related to the functions of the agencies composing the department.".

Amend the bill as a whole by adding a new section, designated section 3, following section 1, to read as follows:

"Sec. 3. NRS 408.178 is hereby amended to read as follows:

408.178 *1.* The deputy director:

[1. Is in the unclassified]

(a) Is in the classified service of the state.

[2.] *(b)* Must [have had at least 5 years of responsible administrative experience in public administration, business administration, engineering or a related field, or 3 years of qualifying experience if he is a registered professional engineer.] *hold a bachelor of science in public or business administration, or civil, structural, mechanical or industrial engineering.*

(c) Must have at least 2 years of administrative experience as the assistant to the director or chief engineer.

2. The chief engineer:

(a) Is in the classified service of the state.

(b) Must be a registered professional civil or structural engineer.

(c) Except as otherwise provided in subsections 3 and 4, must have at least 3 years of experience as the final engineering authority for a state's agency which has duties similar to those of the department.

3. If the deputy director holds the degree of bachelor of science in civil or structural engineering and is a registered professional engineer, he may also act as the department's chief engineer.

4. If the chief engineer is promoted to that position from another position within the department, he must have at least 5 years of experience as the director of or engineer for the department's projects or as the assistant to the chief engineer.".

Amend the title of the bill, second line, after "engineer;" by inserting: "changing the qualifications of the deputy director; establishing the qualifications of the chief engineer;".

Assemblyman Thomas moved the adoption of the amendment.

Remarks by Assemblyman Thomas.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 448.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Tourism and Mining:

Amendment No. 630.

Amend section 1, page 2, by deleting lines 21 through 24 and

inserting: "$15 for each claim [. The entire filing fee shall be utilized by the county to establish] *whose boundaries and location are set forth on the map.*

3. Using the proceeds of these filing fees, the county:

(a) Shall establish and maintain a [county mining map that shall]".

Amend section 1, page 2, line 28, by deleting "*Purchase*" and inserting "*May purchase*".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 11.

Resolution read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 644.

Amend the resolution, pages 1 and 2, by deleting line 21 on page 1 and lines 1 through 4 on page 2 and inserting:

"*jointly,* That if the Nevada Test Site, over the objections of the".

Amend the resolution, page 2, line 21, by deleting the second "and".

Amend the resolution, page 2, by deleting line 23 and inserting:

"metropolitan area of Las Vegas; and

5. Establish a school of engineering to study the high technology of atomic fission and fusion for the purpose of recovering usable material from the spent fuel; and be it further

Resolved, That Congress is requested to provide the necessary funding for such a school; and be it further".

Amend the title of the resolution to read:

"Assembly Joint Resolution—Requesting Congress and the Department of Energy to mitigate the consequences of any storage of radioactive waste at the Nevada Test Site.".

Amend the summary of the resolution by deleting "prohibit" and inserting: "mitigate the consequences of any".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 27.

Resolution read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 646.

Amend the resolution, page 1, by deleting lines 5 and 6 and inserting: "and shall commence on the [3rd Monday of January next ensuing the election of members of the Assembly,] *1st Monday of March of each year,* unless the Gover-".

Amend the title of the resolution, third line, by deleting "limited".

Amend the summary of the resolution, first line, by deleting "limited".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Schofield.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 261.

The following Senate amendment was read:

Amendment No. 551.

Amend section 1, page 1, line 3, by deleting "*or firm*".

Amend section 1, page 1, line 6, by deleting "*or firm*".

Amend section 1, page 1, line 10, by deleting "[such]".

Amend section 1, page 1, by deleting lines 11 through 17 and inserting: "that person maintains a place of business or resides, to apply on behalf of the board to the district court for an injunction restraining him from acting in violation of this chapter, and upon a proper showing, a temporary restraining order, a preliminary injunction or a permanent injunction may be granted. The board as plaintiff in any such action is not required to prove any irreparable injury.".

Amend section 1, page 1, line 18, by deleting "*or firm*".

Amend the bill as a whole by adding a new section designated section 3, following section 2, to read as follows:

"Sec. 3. Section 1 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 261.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 252; Senate Bills Nos. 127, 170, 214, 229, 263, 264, 265, 287; Assembly Concurrent Resolution No. 30; Senate Concurrent Resolution No. 21.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jennie Munger, Frosty Gorden and Mr. Mitch Harrigan.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Mary Ann Bautista and Mr. Larry Ponton.

On request of Assemblyman Bilyeu, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jan Miles and Allie Bear.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Carroll E. Hammond and Ms. Rosa Estes.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Laurie Fink and Mr. Preston Hubbs.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ellen Pope, Billi Mackey, Nadine Leffler, Melanie McGuire, Kay Marriott, Alicia M. Giannotti, Theresa F. Bennett and Clara Ramsay.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Pam Mulcahy.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Tina Whitaker.

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jim Hartshorne and Ms. Dawna Hartshorne.

On request of Assemblyman Perry, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Larry Matheis.

On request of Assemblyman Redelsperger, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Irene Wulfenstein and Mrs. Anne Redelsperger.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Jan Leeper and Marie Leeper.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Curry Jameson.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sue Pierce and Terry Clawson.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Andrea Thurman, Gayle Chisolom, Dee Pangborn, Messrs. Ben Bartlet, Jerry McNight and students from Churchill County High School, Fallon, Nevada: John Adams, Sandra Alberti, Rhonda Anderson, Steve Barnes, Diana Beeghly, Bobby Bleazard, Paige Borden, Kendra Carter, Steve Colburn, Richard Evans, Andy Gallio, Debbie Geis, Lotta Hansen, Matt Heck, Lori Hunnewell, Barbara Judd, Carolyn Kirin, Debra Lee, John Lipes, Anita Lombardo, Andra McCormick, Chris Medrano, Judy Murray, Clark Peri, Pam Powell, Reva Ratti, Kelly Smith, Jamie Thurman, Chester Ugalde, Andrew Winans, Terri Tuck, Mike McGinnis, Mike Parks, Leanne Carey and Glenda Price.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, April 29, 1983, at 10:30 a.m.

Motion carried.

Assembly adjourned at 12:46 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRD DAY

CARSON CITY (Friday), April 29, 1983

Assembly called to order at 10:34 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present except Assemblyman Marvel, who was excused.
Prayer by the Chaplain, The Reverend Robert H. Schwartz.

Dear Lord, a poet lifted up one mark of maturity as being the ability to "Keep your head while all about are losing their's—and blaming it on you!"

Dear God, grant us that maturity!

In snowballing fashion the pressure is on to produce. In this mood of excelleration how much more important it is for us to keep our bearings, to keep our goals in view and to be able to think and do calmly.

When all else seems to be awhirl around us, help us to remember that: "Thou wilt keep him in perfect peace whose mind is staid on thee."

Lord, in the midst of anxious activity be our perfect peace.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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, April 28, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 48 and requests a further conference, and appointed Senators Bilbray, Raggio and Lamb as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 48.

Also, I have the honor to inform your honorable body that the Senate appointed Senators Robinson, Hickey and Hernstadt as a first Committee on Conference concerning Senate Bill No. 168.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 34.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that for the balance of the session all bills and joint resolutions returned from reprint be placed on the General File.

Motion carried.

Assemblyman Joerg moved that Senate Bill No. 28 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Bourne moved that Assembly Bill No. 550 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bourne.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 380, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Bill No. 124, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 227, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Government Affairs.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 92, 228, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 446, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and re-refer to the Committee on Ways and Means.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Senate Bill No. 247, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 371 has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 446 be re-referred to the Committee on Ways and Means.

Motion carried.

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

Assembly in recess at 10:43 a.m.

ASSEMBLY IN SESSION

At 10:44 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 247 be re-referred to the Committee on Government Affairs.
Motion carried.

Senate Concurrent Resolution No. 34.
Assemblyman Stewart moved the adoption of the resolution.
Resolution adopted unanimously.

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

Assembly in recess at 10:44 a.m.

ASSEMBLY IN SESSION

At 10:45 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Humke, Stone, Ham, Malone, Bilyeu, Fay, Nevin, Swain, Stewart, Berkley and Collins:

Assembly Bill No. 582—An Act relating to fingerprinting; providing a procedure to enable a parent or guardian of a minor child to obtain a card containing the child's fingerprints to help identify the child if he is lost, kidnaped or killed; prohibiting law enforcement agencies from retaining a copy of the fingerprints; prohibiting the use of the fingerprint card in any juvenile or criminal investigation or proceeding against the child; and providing other matters properly relating thereto.

Assemblyman Humke moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 583—An Act relating to counties; authorizing the acquisition and operation of cemeteries; providing for the conveyance of property used as a cemetery; and providing other matters properly relating thereto.

Assemblyman Dini moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

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

Assembly in recess at 10:47 a.m.

ASSEMBLY IN SESSION

At 10:53 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 576 be taken from its position on the General File and placed at the top of the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 576.
Bill read third time.
Remarks by Assemblyman May.
Roll call on Assembly Bill No. 576:

YEAS—40.
NAYS—None.
Absent—Marvel, Price—2.

Assembly Bill No. 576 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 5.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 5:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 5 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 192.
Bill read third time.
Remarks by Assemblymen Kerns and Craddock.
Roll call on Assembly Bill No. 192:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 192 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 245.
Bill read third time.
Remarks by Assemblymen Stone and Collins.

Roll call on Assembly Bill No. 245:

YEAS—39.
NAYS—Chaney, Collins—2.
Absent—Marvel.

Assembly Bill No. 245 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 292.

Bill read third time.

Remarks by Assemblyman Bourne.

Roll call on Assembly Bill No. 292:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 292 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 363.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 363:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 363 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 400.

Bill read third time.

Remarks by Assemblyman Joerg.

Roll call on Assembly Bill No. 400:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 400 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 464.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 464:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 464 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 472.
Bill read third time.
Remarks by Assemblyman Banner.
Roll call on Assembly Bill No. 472:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 472 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 490.
Bill read third time.
Remarks by Assemblyman Malone.
Roll call on Assembly Bill No. 490:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 490 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 493.
Bill read third time.
Remarks by Assemblymen Chaney and Fay.
Roll call on Assembly Bill No. 493:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 493 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 502.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Assembly Bill No. 502:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 502 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 503.
Bill read third time.
Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 503:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 503 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 530.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Assembly Bill No. 530:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 530 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 249.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 249:

YEAS—41.
NAYS—None.
Absent—Marvel.

Senate Bill No. 249 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 7.

Resolution read third time.

Remarks by Assemblyman Joerg.

Roll call on Senate Joint Resolution No. 7:

YEAS—41.
NAYS—None.
Absent—Marvel.

Senate Joint Resolution No. 7 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 240.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Assembly Bill No. 240:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 240 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 318.
Bill read third time.
Remarks by Assemblyman Schofield.
Roll call on Assembly Bill No. 318:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 318 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 369.
Bill read third time.
Remarks by Assemblymen Thomas and Stone.
Roll call on Assembly Bill No. 369:

YEAS—39.
NAYS—Beyer, Stone—2.
Absent—Marvel.

Assembly Bill No. 369 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Price moved that Assembly Bill No. 391 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Price.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 448.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Assembly Bill No. 448:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 448 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 457.
Bill read third time.
Remarks by Assemblyman Redelsperger.
Roll call on Assembly Bill No. 457:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 457 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 542.
Bill read third time.
Remarks by Assemblyman Perry.
Roll call on Assembly Bill No. 542:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Bill No. 542 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 11.
Resolution read third time.
Remarks by Assemblymen Schofield, Price and Redelsperger.
Roll call on Assembly Joint Resolution No. 11:

YEAS—41.
NAYS—None.
Absent—Marvel.

Assembly Joint Resolution No. 11 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 27.
Resolution read third time.
Remarks by Assemblymen Schofield, Thomas, Joerg, Bilyeu and Kovacs.
Assemblyman Schofield moved that Assembly Joint Resolution No. 27 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Schofield.
Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 28, 183 and 251 be taken from the General File and placed on the General File for the next legislative day.
Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 31, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

EDWARD J. KOVACS, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 347, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Joint Resolution No. 4, has had the same under consideration, and begs leave to report the same

back with the recommendation: Amend, and re-refer to the Committee on Legislative Functions.

EDWARD J. KOVACS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 29, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 576.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 381, 382, 398.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 241, 275.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolutions Nos. 14, 16, 17.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 31.

Assemblyman Kovacs moved the adoption of the resolution.

Remarks by Assemblymen Kovacs and Bourne.

Assemblyman Stone requested that the following remarks be entered in the Journal:

ASSEMBLYMAN KOVACS:

If the members of this house will remember, earlier on in the session we had Assembly Bill No. 368, which was by Government Affairs. There was a great concern at that time from a number of the members of this body of the effects of manufactured homes on residential lots. Therefore, because of this feeling, that is the reason for this resolution before us. I do feel that further study needs to be taken in this direction, and Legislative Functions asks for a Do Pass on this matter.

ASSEMBLYMAN BOURNE:

Mr. Speaker. I would like to echo some of the thoughts of Mr. Kovacs, and possibly expand a little bit more. Also, in the study time period, we might also come up with some kind of a suggestion to those counties who have not really addressed the situation of the mobile or the manufactured housing. We might give some guidance and direction on future zoning, some suggestions on areas where they might be able to give a little bit, but also remember that we must have these structures if we allow them in any zoning to comply with construction standards that have been established and maintained by this state.

Resolution adopted unanimously.

Assemblyman Stewart gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Joint Resolution No. 7 was this day passed.

Senate Joint Resolution No. 14.

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

Motion carried.

Senate Joint Resolution No. 16.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Senate Joint Resolution No. 17.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 241.

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

Motion carried.

Senate Bill No. 275.

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

Motion carried.

Senate Bill No. 381.

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

Motion carried.

Senate Bill No. 382.

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

Motion carried.

Senate Bill No. 398.

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

Motion carried.

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

Assembly in recess at 12:05 p.m.

ASSEMBLY IN SESSION

At 12:06 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 227.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 585.

Amend section 1, page 1, line 6, by deleting the period and inserting "*individually or collectively.*".

Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 199.120 is hereby amended to read as follows:

199.120 Every person having taken a lawful oath or made affirmation in a judicial proceeding or in any other matter where, by law, an oath or affirmation is required and no other penalty is prescribed, [or] who willfully and corruptly makes an unqualified statement of that which he does not know to be true, or who swears or affirms willfully, corruptly and falsely in a matter material to the issue or point in question, or who suborns any other person to make such unqualified statement or to swear or affirm in such manner is guilty of perjury or subornation of perjury, as the case may be, and shall be punished by imprisonment in the state prison for not less than 1 year nor more than 10 years, and may be further punished by a fine of not more than $10,000.''.

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.

Assemblyman Dini moved that Assembly Bill No. 227 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 347.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 647.

Amend section 1, page 1, line 1, by deleting ''The'' and inserting:

''1. Except as provided in subsection 2, the''.

Amend section 1, page 1, by deleting lines 6 through 19 and inserting:

''CARSON CITY	$100,872	$103,444
CHURCHILL COUNTY	31,813	34,508
DOUGLAS COUNTY	90,785	93,099
ESMERALDA COUNTY	8,752	8,988
EUREKA COUNTY	8,752	8,988
HUMBOLDT COUNTY	50,436	51,721
LANDER COUNTY	25,218	25,860
LINCOLN COUNTY	15,131	15,517
LYON COUNTY	43,936	45,122
MINERAL COUNTY	25,262	25,944
NYE COUNTY	33,305	34,204
PERSHING COUNTY	25,218	25,861
WHITE PINE COUNTY	20,174	20,688
TOTALS	$479,654	$493,944

2. If any county chooses to contribute an additional amount, the state public defender may, with the approval of the interim finance committee, accept it and apply it to augment his services.''.

Amend the bill as a whole by adding a new section, designated as section 2, following section 1, to read as follows:

"Sec. 2. NRS 180.110 is hereby amended to read as follows:

180.110 1. Each fiscal year the state public defender may collect from the counties amounts which do not exceed those authorized by the legislature for use of his services during that year.

2. The state public defender shall submit a bill to the county on or before the 15th day of May and the county shall pay the bill *:*

(a) In full on or before the 20th day of July [.] *; or*

(b) In equal quarterly installments on or before the 1st day of July, October, January and April, respectively.

The counties shall pay their respective amounts to the state public defender who shall deposit the amounts with the treasurer of the State of Nevada and shall expend the funds in accordance with his approved budget.".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 4.

Resolution read second time.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 228.

Amend page 1, line 2, by deleting "and 15" and inserting ", 15 and 33".

Amend page 1, line 17, by deleting "[three] *four*" and inserting "three".

Amend page 1, line 18, by deleting "*During a regular ses-*".

Amend page 1, by deleting lines 19 and 20.

Amend page 2, by deleting line 2 and inserting: *"50 legislative days and those sessions must end not later than midnight on the 50th legislative day. A*".

Amend page 2, line 1, by deleting "*1.*".

Amend page 2, line 3, after "*20*" and inserting "*legislative*".

Amend page 2, by deleting lines 4 through 7 and inserting:

"[Sec:] *Sec.* 33 Compensation of members of legislature; payment of actual expenses for postage, stationery; additional allowances for officers.

The members of the Legislature shall receive for their services, a compensation to be fixed by law and paid out of the public treasury, for not to exceed [60] *50 legislative* days during any regular session of the legislature and not to exceed 20 *legislative* days during any special session convened by the governor; but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected Provided, that an appropriation may be

made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers and stationery not exceeding the sum of Sixty dollars for any general or special session to each member; and Furthermore Provided, that the Speaker of the Assembly, and Lieutenant Governor, as President of the Senate, shall each, during the time of their actual attendance as such presiding officers receive an additional allowance of two dollars per diem.''.

Amend page 2, line 19, after ''*President*'' and inserting ''*or Congress*''.

Amend the title of the resolution, second line, by deleting ''legislature,'' and inserting ''legislature and''.

Amend the title of the resolution by deleting the third line and inserting: ''for calling a special session.''.

Assemblyman Bogaert moved the adoption of the amendment.

Remarks by Assemblyman Bogaert.

Amendment adopted.

Assemblyman Kovacs moved that Assembly Joint Resolution No. 4 be re-referred to the Committee on Legislative Functions.

Motion carried.

Resolution ordered reprinted and engrossed.

GENERAL FILE AND THIRD READING

Assembly Bill No. 124.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 661.

Amend section 1, page 1, by deleting lines 8 and 9, and inserting:

''*2. If the conspiracy subjects the conspirators to criminal liability under section 10 of this act, they may be punished in the manner provided in*''.

Amend sec. 2, page 2, lines 24 and 25, by deleting: ''*5 years nor more than 20*'' and inserting: ''*1 year nor more than 10*''.

Amend sec. 2, page 2, line 26, by deleting ''*$100,000*'' and inserting ''*$10,000*''.

Amend sec. 5, page 2, line 33, by deleting ''*racketeering activities*'' and inserting ''*racketeering*''.

Amend sec. 5, page 2, by deleting line 39 and inserting:

''*4. Battery which is punished as a felony.*''.

Amend sec. 5, page 3, by deleting lines 11 and 12, and inserting:

''*17. Bribery or asking for or receiving a bribe in violation of chapter 197 or 199 of NRS which is punished as a felony;*''.

Amend sec. 5, page 3, by deleting lines 19 and 20, and inserting:

''*22. Any violation of NRS 202.260, 202.275 and 202.350 which is punished as a felony.*''.

Amend sec. 5, page 3, line 29, by deleting ''*Falsifying*'' and inserting ''*Offering false*''.

Amend sec. 6, page 3, by deleting lines 34 and 35, and inserting: ''*or has the purpose of engaging in racketeering activity.*''.

Amend sec. 7, page 3, by deleting lines 36 through 40, and inserting:

"Sec. 7. *"Enterprise" includes:*

1. Any natural person, sole proprietorship, partnership, corporation, business trust or other legal entity; and

2. Any union, association or other group of persons associated in fact although not a legal entity.

The term includes illicit as well as licit enterprises".

Amend sec. 8, page 4, line 4, by deleting "*that*".

Amend sec. 8, page 4, line 5, by deleting "*3.*" and inserting "*5.*".

Amend sec. 10, page 4, by deleting lines 11 through 20, and inserting: "*derived from the investment or use thereof, in the acquisition of:*

(1) Any title to or any right, interest or equity in real property; or

(2) Any interest in or the establishment or operation of any enterprise.

(b) Through racketeering activity to acquire or maintain, directly or indirectly, any interest in or control of any enterprise.

(c) Who is employed by or associated with any enterprise to conduct or participate, directly or indirectly, in:

(1) The affairs of the enterprise through racketeering activity; or

(2) Racketeering activity through the affairs of the enterprise.".

Amend sec. 10, page 4, line 23, after "*Knowingly*" by inserting "*to*".

Amend sec. 10, page 4, line 34, by deleting "*or to attempt*".

Amend sec. 10, page 4, by deleting lines 36 through 39.

Amend sec. 10, page 4, line 40, by deleting "*3.*" and inserting "*2.*".

Amend sec. 11, page 5, by deleting lines 1 through 7, and inserting:

"Sec. 11. *In lieu of the fine which may be imposed for a violation of section 10 of this act, the convicted person may be sentenced to pay a fine which does not exceed three times:*

1. Any gross pecuniary value he gained; or

2. Any gross loss he caused, including property damage and personal injury but excluding any pain and suffering,

whichever is greater, as a result of the violation. He may also be sentenced to pay court costs and the reasonable costs of the investigation and prose-".

Amend sec. 11.2, page 5, by deleting lines 14 through 16, and inserting: "*course of the unlawful act and the extent of that property:*

(a) The jury; or

(b) If the trial is without a jury, the court,

shall, upon a conviction, determine at a separate hearing the extent of the property to be forfeited. If the indictment or infor-".

Amend sec. 11.2, page 5, line 21, after "*Any*" by inserting "*title or*".

Amend sec. 11.2, page 5, by deleting lines 27 through 29, and inserting: "*ment:*

(1) Which was acquired or maintained in violation of section 10 of this act;

(2) Through which the convicted person conducted or participated in the conduct of such unlawful affairs of an enterprise; or

(3) Which afforded him a source of influence or control over the affairs of an enterprise which he exercised in violation of section 10 of this act;''.

Amend sec. 11.2, page 5, by deleting line 34, and inserting: ''*services which was awarded or performed in violation of section 10 of this act.*''.

Amend sec. 11.4, page 6, line 12, by deleting ''*preserve*'' and inserting ''*secure*''.

Amend sec. 11.4, page 6, line 24, by deleting ''*prospective defendant*'' and inserting: ''*party against whom the order is to be entered*''.

Amend sec. 11.4, page 6, line 25, by deleting ''*preserve*'' and inserting ''*secure*''.

Amend sec. 11.4, page 6, line 26, by deleting ''*preserve*'' and inserting ''*secure*''.

Amend sec. 11.6, page 7, lines 1 and 2, by deleting ''*to all parties*''.

Amend sec. 11.8, page 7, line 10, after ''*a*'' by inserting ''*satisfactory*''.

Amend sec. 11.8, page 7, by deleting line 13, and inserting: ''*to protect the interests of the state*''.

Amend sec. 12, page 7, line 19, after ''*Any*'' b: inserting ''*title or*''.

Amend sec. 12, page 7, line 24, by deleting ''*The*'' and inserting: ''*Upon a showing by the owner of the requisite facts, the*''.

Amend sec. 13, page 7, line 36, after ''*made*'' by inserting ''*without legal process*''.

Amend sec. 13, page 8, by deleting lines 12 through 16, and inserting:

''*4. The district attorney may institute civil proceedings under this section for the forfeiture of property subject to forfeiture pursuant to section 12 of this act. The attorney general may institute such proceedings when the property is*''.

Amend sec. 13, page 8, line 19, after ''*notice*'' *by inserting: ''to the district attorney*''.

Amend sec. 14, page 8, line 44, after ''*party*'' by inserting ''*shows that he*''.

Amend sec. 15, page 9, line 8, after ''*ownership*'' by inserting: ''*or a bona fide security interest*''.

Amend sec. 16, page 9, line 14, after ''*for*'' by inserting ''*three times*''.

Amend sec. 16, page 10, line 1, by deleting ''*or 10*'' and inserting '', *10 or 12*''.

Amend sec. 18, page 11, by deleting lines 5 and 6, and inserting:

''*4. If the conspiracy subjects the conspirators to criminal liability under*''.

Amend sec. 18, page 11, line 7, by deleting ''*late*''.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 371.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 658.

Amend the bill, page 1, line 1, by deleting "11," and inserting "14,".

Amend the bill as a whole by deleting sections 12 through 14.

Amend sec. 16, page 3, by deleting lines 36 and 37 and inserting: "ing the preceding month must be apportioned by the department and distributed by the state controller as follows:".

Amend sec. 38, page 11, lines 13 and 14, by deleting: "an [amendment] *amendatory* certificate" and inserting: "[an amendment] *a* certificate".

Amend sec. 44, page 12, line 43, after "state" by inserting: ", *except one whose primary purpose is religious,*".

Amend sec. 50.3, page 16, line 18, by deleting the open bracket.

Amend sec. 50.3, page 16, line 22, by deleting the closed bracket.

Amend sec. 50.3, page 16, line 23, by deleting "[6.] *4.*" and inserting "6.".

Amend the bill as a whole by adding a new section, designated section 50.35, following section 50.3, to read as follows:

"Sec. 50.35. NRS 90.040 is hereby amended to read as follows:

90.040 "Broker-dealer" means any person engaged in the business of effecting transactions in securities for the account of others or for his own account. "Broker-dealer" does not include:

1. An agent.

2. An issuer.

3. [A broker or dealer registered pursuant to the provisions of the Securities Exchange Act of 1934 (15 U.S.C. § 78a et seq.).

4. A person who is a member of the National Association of Securities Dealers, Inc.

5.] A bank, savings institution or trust company.

[6.] *4.* A person who has no place of business in this state if:

(a) He effects transactions exclusively with or through:

(1) The issuers of the securities involved in the transactions;

(2) Other broker-dealers;

(3) Banks, savings institutions, trust companies, insurance companies, investment companies as defined in the Investment Company Act of 1940 (15 U.S.C. § 80a-1 et seq.), pension or profit-sharing trusts, or other financial institutions or institutional buyers, whether acting for themselves or as trustees; or

(b) During any period of 12 consecutive months he does not direct more than 15 offers to sell or buy into this state to persons other than

those specified in paragraph (a) , whether or not the offeror or any of the offerees is then present in this state.''.

Amend sec. 50.8, page 19, line 9, by removing the brackets around ''issuer,''.

Amend sec. 51.1, page 22, line 13, by removing the brackets around ''issuer,''.

Amend sec. 51.1, page 22, line 16, by removing the brackets around ''issuer,''.

Amend sec. 51.1, page 22, by deleting lines 24 and 25 and inserting:

''(c) In the case of a broker-dealer, bullion dealer or issuer, is selling or issuing or has sold or issued securities [or''.

Amend sec. 51.1, page 22, by deleting lines 34 and 35 and inserting: ''administrator to determine a broker-dealer's, bullion dealer's or issuer's financial responsibility or a broker-dealer's, bullion''.

Amend sec. 51.1, page 22, line 36, by removing the brackets around ''issuer's''.

Amend sec. 51.1, page 23, line 1, by removing the brackets around ''issuer,''.

Amend sec. 51.2, page 23, by deleting lines 5 through 10 and inserting:

''Sec. 51.2. (Deleted by amendment.)''.

Amend sec. 51.3, page 23, line 16, by removing the brackets around ''issuer,''.

Amend sec. 51.3, page 23, line 31, by removing the brackets around ''issuer,''.

Amend sec. 56, page 27, line 1, by deleting ''*sections 57 and 58*'' and inserting ''*section 57*''.

Amend sec. 56, page 27, by deleting lines 5 through 8 and inserting:

''*(a) Three percent on amounts received during the fiscal years beginning on July 1, 1983, and July 1, 1984, respectively.*

(b) Two and one-half percent on amounts received on or after July 1, 1985.''.

Amend sec. 58, page 27, by deleting lines 21 through 25 and inserting:

''Sec. 58. (Deleted by amendment.)''.

Amend sec. 68, page 32, by deleting lines 30 through 36 and inserting:

''Sec. 68. (Deleted by amendment.)''.

Amend sec. 71, page 33, line 7, by deleting ''1983,'' and inserting ''1984,''.

Amend the bill as a whole by renumbering section 72 as section 73 and adding a new section designated as section 72, following section 71, to read as follows:

''Sec. 72. 1. The net premiums and net considerations taxable pursuant to NRS 680B.030 before its amendment by section 63 of this act, which were received on or after January 1 but before July 1, 1983, must be reported on or before September 30, 1983. The tax thereon, at the rate of 2 percent, must be paid with that report.

2. The first report pursuant to NRS 680B.030 as amended, due March 30, 1984, must show income derived from premiums on or after

July 1, 1983, but before January 1, 1984. Any estimated payment based on a quarterly report pursuant to paragraph (b) of subsection 1 of section 60 of this act must be calculated by applying to net premiums and net considerations of the preceding calendar year the rate applicable to the current quarter.''.

Amend sec. 72, page 33, by inserting between lines 16 and 17:

''2. Section 50.35 of this act shall become effective on July 1, 1984.''.

Amend sec. 72, page 33, line 17, by deleting ''2.'' and inserting ''3.''.

Amend sec. 72, page 33, line 20, by deleting ''3.'' and inserting ''4.''.

Amend the title of the bill by deleting the first and second lines and inserting:

''An Act relating to public revenue; increasing the rate of the tax on cigarettes; increasing and accelerating''.

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Amendment No. 659.

Amend sec. 70, pages 32 and 33, by deleting lines 38 through 44 on page 32 and lines 1 through 5 on page 33 and inserting:

''Sec. 70. (Deleted by amendment.)''.

Amend sec. 72, page 33, line 15, by deleting: ''and section 70 of this act''.

Amend the title of the bill, eleventh and twelfth lines, by deleting: ''levying a state tax on property;''.

Amend the summary of the bill by deleting: ''Levies state tax on property, proposes'' and inserting ''Proposes''.

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblymen Bergevin and May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 261, 432, 433; Senate Bills Nos. 285, 294, 348; Assembly Concurrent Resolution No. 32.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, May 2, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:19 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND SIXTH DAY

CARSON CITY (Monday), May 2, 1983

Assembly called to order at 11:01 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all, it is indeed true that no one can be strong by his own power (I Sam. 2:4). How can we stand before your might if you do not yourself strengthen and comfort us?

Therefore, dear Father, embrace us, accomplish your will in us, that we may be your kingdom to your praise and glory.

Lord, in your mercy, hear this our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 361, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 116, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Concurrent Committee on Government Affairs, to which was referred Assembly Bill No. 248, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 552, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Concurrent Committee on Government Affairs, to which was referred Assembly Bill No. 335, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 321, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 29, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 96, 173, 389, 402.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 146, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 164 and requests a conference, and appointed Senators Hernstadt, Foley and Ryan as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 21.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Joint Resolution No. 17, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 33.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 206.

MAE LOFTHOUSE
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 2, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 289, which was returned from the Governor in accordance with the provisions of Senate Concurrent Resolution No. 33.

MAE LOFTHOUSE
Assistant Secretary of the Senate

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:07 a.m.

ASSEMBLY IN SESSION

At 11:13 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 410, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 449, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Taxation.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 431, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 289 was passed be rescinded.

Remarks by Assemblyman Jeffrey.

Motion carried.

In compliance with a notice given on a previous day, Assemblyman Stewart moved that the vote whereby Senate Joint Resolution No. 7 was passed be reconsidered.

Remarks by Assemblymen Stewart and May.

Motion carried.

Assemblyman Stewart moved that Senate Joint Resolution No. 7 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker pro Tempore appointed Assemblymen Bourne, Stone and Chaney as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 164.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 17.

The following Senate amendment was read:

Amendment No. 601.

Amend the resolution, page 2, by deleting line 15 and inserting: "of Land Management, each chairman and each member of the appropriate congressional committees and each member of the Nevada congressio-".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Joint Resolution No. 17.

Remarks by Assemblyman Thompson.

Motion carried.

Resolution ordered enrolled.

Assembly Bill No. 190.

The following Senate amendment was read:

Amendment No. 467.

Amend section 1, page 1, line 2, by deleting "*1.*".

Amend section 1, page 1, by deleting lines 10 through 12.

Amend the bill as a whole by deleting section 2 and renumbering section 3 as section 2.

Amend the bill as a whole by deleting section 4.

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 190.

Remarks by Assemblyman Stewart.

Motion carried.

Bill ordered enrolled.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 497, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Senate Concurrent Resolution No. 25, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 197, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was re-referred Assembly Joint Resolution No. 4, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

EDWARD J. KOVACS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Kovacs moved that Assembly Joint Resolution No. 4 be placed on the Chief Clerk's desk.

Remarks by Assemblyman Kovacs.

Motion carried.

Assemblyman Bergevin moved that Assembly Bill No. 335 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bergevin.

Motion carried.

By Assemblymen May, Vergiels, Zimmer, Kovacs, Swain, Coffin, Thomas, Beyer, Nicholas, Chaney, DuBois, Sedway, Joerg, Bilyeu, Francis, Kerns, Craddock, Humke, Berkley, Redelsperger, Thompson, Perry, Collins, Price, Bergevin, Fay, Malone, Nevin, Stewart, Ham, Stone, Banner, Jeffrey, Dini, Schofield, Getto, Sader, Bogaert, Brady, Bourne, Marvel and Bremner:

Assembly Concurrent Resolution No. 34—Memorializing the late James Deskin.

WHEREAS, The members of this legislature were deeply saddened to learn of the recent death of James Deskin; and

WHEREAS, Born October 16, 1905, in Terre Haute, Indiana, James Deskin made Nevada his home until his death on April 17, 1983; and

WHEREAS, Jim was an active and enthusiastic supporter of athletics in Nevada; he served as president of the World Boxing Association, vice president of the World Boxing Council and was a member of the Nevada athletic commission for 22 years; and

WHEREAS, During Jim's involvement with the Nevada athletic commission, his reputation as a man of high principles, integrity and compassion became evident, as did his belief that the welfare of an athlete should be the first consideration in any decision made by the commission; and

WHEREAS, A rare human quality often attributed to Jim was his ability to relate to people of all walks of life; and

WHEREAS, Although James Deskin's death has created a void in the lives of his numerous friends, in death as in life, his sense of humor, personal charm and his love for life will always be remembered; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That members of the 62nd session of the Nevada legislature express their sincere condolences to his widow, Ruthe, and his children Jack, Terry and Nancy; and be it further

Resolved, That a copy of this resolution be prepared and transmitted forthwith by the legislative counsel to Ruthe Deskin.

Assemblyman May moved the adoption of the resolution.

Remarks by Assemblyman May.

Assemblyman Bourne requested that Assemblyman May's remarks be entered in the Journal:

A lot of people cross the sands that make up a great part of the State of Nevada. Some of those people in passing leave footprints that are blown away with the first gust of wind. Others, such as the late James Deskin, leave footprints that remain frozen into time immemorial as long as there is, and will be, a Nevada. As you can see, by the resolution, Jim Deskin devoted a great part of his life to sports. Within that vast arena his largest contributions came in the area of boxing. He served as president of the Rural Boxing Association, vice president of the Rural Boxing Council, and was a member of the Nevada Athletic Commission for twenty-two years. However, he didn't limit his activities or his love for Nevada only to boxing. He was active in all parts of it. He was perhaps as much instrumental in putting Las Vegas, Nevada on the map as far as sports activities are concerned as any one person who ever came this way. I would only ask that each of us who knew him, as we adopt this resolution, reach deep in our hearts and say a small prayer for Jim Deskin, because I think we all know where he is today.

Resolution adopted unanimously.

By Assemblymen Bogaert and Nevin:

Assembly Concurrent Resolution No. 35—Directing the legislative commission to study possible work by prisoners for state agencies.

Assemblyman Bogaert moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 25.

Assemblyman Craddock moved the adoption of the resolution.

Remarks by Assemblyman Craddock.

Resolution adopted unanimously.

By the Committee on Ways and Means:

Assembly Concurrent Resolution No. 36—Providing for the compensation of clergy for services rendered to the assembly and senate in the 62nd session of the Nevada legislature.

WHEREAS, During the present session of the legislature certain clergy, representing

various denominations, have rendered daily religious services to the assembly and the senate; and

WHEREAS, A reasonable compensation should be provided for such services; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the state controller is authorized and directed to pay the sum of $25 per service out of the legislative fund to members of the clergy who have performed religious services for the assembly and the senate during the 62nd session of the Nevada legislature.

Assemblyman Bremner moved the adoption of the resolution.

Resolution adopted unanimously.

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

Assembly in recess at 11:31 a.m.

ASSEMBLY IN SESSION

At 11:51 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 92.

Bill read second time and ordered to third reading.

Senate Bill No. 228.

Bill read second time and ordered to third reading.

Assembly Bill No. 116.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 687.

Amend section 1, page 1, by deleting lines 14 through 18 and inserting: "*his request to serve as a volunteer fireman in the event of an emergency, without loss of his regular compensation.*".

Amend sec. 2, page 2, by deleting lines 8 through 12 and inserting: "*mend the discharge of a person who serves as a volunteer fireman for a period of not more than 10 working days in any 1 calendar year shall not deprive the person performing such*".

Amend the title of the bill to read as follows:

"An Act relating to volunteer firemen; prohibiting their discharge from employment as a result of responding to an emergency; authorizing a civil action against an employer under certain circumstances; authorizing public employees to be relieved of duty to respond to emergencies without loss of compensation; and providing other matters properly relating thereto.".

Amend the summary of the bill by deleting "training and".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 361.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 670.

Amend sec. 3, page 2, by deleting lines 32 through 34 and inserting:

"(b) Actual expenses for subsistence and lodging, not to exceed $50 per day, and actual expenses for transportation, while on *the* business of the board [.] *within this state.*

(c) The per diem allowance and travel expenses provided by law for state officers and employees, while on the business of the board outside this state.".

Amend sec. 10, page 4, by deleting lines 26 through 30 and inserting: "of good moral character and who has had at least 8 years of experience may apply to the board for registration under this section as an architect.

2. Each year of study, up to and including 5 years of study, sat-".

Amend sec. 10, page 4, line 36, before "After" by inserting an open bracket.

Amend sec. 10, page 5, line 9, by deleting "*3.*" and inserting:

"*4. Any person who is at least 21 years of age and of good moral character and who has had at least 5 years of experience in architectural work may apply to the board for registration as a residential designer.*

5. The board shall, by regulation, establish the standards for the examination to qualify as a residential designer. The examination must consist of at least:

(a) A written examination covering:

(1) Structural technology;

(2) Materials and methods of construction;

(3) Systems for environmental control; and

(4) Graphic design; and

(b) An oral interview of the applicant by the board upon the successful completion of the written portion of the examination.

6.".

Amend sec. 11, page 5, line 18, after "2." by inserting: "*Upon complying with the applicable requirements of this chapter and passing the examination, an applicant is entitled to be registered as a residential designer and receive a certificate of registration. A person may not be simultaneously registered as an architect and residential designer.*

3.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 410.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 663.

Amend section 1, page 1, line 6, by deleting "*must*" and inserting "*may*".

Amend section 1, page 1, line 7, by deleting "*500*" and inserting "*1,000*".

Amend section 1, page 1, by deleting lines 8 and 9 and inserting:

"*3.* The registration numbers assigned to trailers *:* [, on or after July 1, 1975,]

(a) Which use the smaller plates must consist of one letter and four numbers.

(b) Which use the larger plates must consist of one letter and five numbers.

The position".

Amend the title of the bill, first line, after "and" by inserting "authorizing".

Assemblyman Coffin moved the adoption of the amendment.

Remarks by Assemblyman Coffin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 431.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 673.

Amend section 1, page 1, line 1, by deleting "688B" and inserting "608".

Amend section 1, page 1, line 3, after "*life*" by inserting "*or health*".

Amend section 1, page 1, by deleting lines 13 through 16 and inserting: "*liable to each covered employee for any benefits which would have been provided under the policy had the premium been paid. This liability ends 30 days after the employer gives the notice required in subsection 1.*".

Amend section 1, page 2, line 4, after "*personally*" by inserting "*jointly and severally*".

Amend the bill as a whole by deleting section 2.

Amend the title of the bill by deleting the first through third lines, and inserting:

"An Act relating to labor; requiring an employer to give notice to his employees before he stops paying premiums for policies of group life or health insurance; requiring the employer to pay for certain benefits if he".

Assemblyman Zimmer moved the adoption of the amendment.

Remarks by Assemblyman Zimmer.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

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

Assembly in recess at 11:56 a.m.

ASSEMBLY IN SESSION

At 11:57 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 289 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 289.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Senate Bill No. 289:

YEAS—42.
NAYS—None.

Senate Bill No. 289 having received a constitutional majority, Mr. Speaker declared it passed.

Assemblyman Jeffrey moved that all rules be suspended and that the bill be immediately transmitted to the Senate.

Motion carried unanimously.

Assembly Bill No. 380.
Bill read third time.
Remarks by Assemblymen Collins, Getto, Chaney and Schofield.
Roll call on Assembly Bill No. 380:

YEAS—37.
NAYS—Getto, Joerg, Stone, Thomas, Zimmer—5.

Assembly Bill No. 380 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 28, 183 and 251 be taken from their positions on the General File and placed at the bottom of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 124.
Bill read third time.

Remarks by Assemblymen Stewart and Stone.

Roll call on Assembly Bill No. 124:

YEAS—42.

NAYS—None.

Assembly Bill No. 124 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 347.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Assembly Bill No. 347:

YEAS—42.

NAYS—None.

Assembly Bill No. 347 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 371.

Bill read third time.

The following amendment was proposed by the Committee on Taxation.

Amendment No. 732.

Amend sec. 16, page 3, by deleting lines 16 through 21.

Amend sec. 73, page 32, by deleting lines 23 and 24 and inserting:

"Sec. 73. 1. Section 16 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 321.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 691.

Amend sec. 1.6, page 2, by deleting lines 16 and 17 and inserting:

"2. In cooperation with the [state printing and records division of the department of general services,] *division,* each agency, board and commission".

Amend sec. 9, page 8, line 3, after "material" by inserting "*not deemed confidential*".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Price moved that Assembly Bill No. 391 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Price.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 449.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 697.

Amend sec. 3, page 4, line 10, by deleting "district," and inserting: "district and any redevelopment agency,".

Amend sec. 5, page 5, line 20, by deleting "district," and inserting: "district or a redevelopment agency,".

Amend sec. 5, page 7, line 10, by inserting after the period: "*Each local government shall, on or before May 1 or the date of adoption of its final budget, whichever is earlier, publish in a newspaper of general circulation in its territory a notice setting forth:*

(a) The rate of property tax included in its final or default budget; and

(b) The right of the registered voters to limit the rate by petition pursuant to this subsection.".

Amend sec. 7, page 8, line 22, after "*valorem*" by inserting: ", *except any levied for debt service,*".

Amend sec. 9, page 9, line 30, by deleting "permit or increase" and inserting "permit , [or increase".

Amend sec. 9, page 9, line 31, by inserting closed bracket after "charge.".

Amend sec. 9, page 9, line 35, by placing brackets around "service charges or".

Amend sec. 9, page 10, line 44 by deleting "[5.] *4.* A" and inserting "[5. A".

Amend sec. 9, page 11, line 7, by deleting "[6.] *5.*" and inserting "6.".

Amend sec. 9, page 11, by deleting lines 12 through 14 and inserting: "interim legislative committee on local governmental finance. A local government must submit any proposal to impose a new service charge to that committee".

Amend sec. 9, page 11, line 16, by deleting "[7.] *6.*" and inserting "7.] *4.*".

Amend sec. 9, page 11, line 34, by deleting "*7.*" and inserting "*5.*".

Amend the bill as a whole by adding a new section, designated as section 9.5, following section 9, to read as follows:

"Sec. 9.5. Chapter 354 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. A local government may increase any service charge which was

in effect on July 1, 1981, or whose imposition was approved after that date pursuant to this section, to the extent:

(a) Necessary to comply with any covenant relating to securities to whose repayment revenue from the service charge is pledged; or

(b) Reasonably necessary to meet the actual expense of providing the service, including the upkeep of any property so used.

2. A local government must submit any other proposal to increase a service charge to the executive director of the department of taxation for approval, and the local government or any person who may be required to pay the charge may, within 30 days after the executive director makes his decision, appeal from his decision to the Nevada tax commission. A local government must submit any proposal to impose a new service charge to the tax commission for its approval.''.

Amend sec. 14, page 13, line 33, by inserting after the period: ''For the fiscal years beginning on and after July 1, 1984, the amount for Douglas County is $230,000.''.

Amend the bill as a whole by renumbering section 15 as section 16 and adding a new section designated as section 15, following section 14, to read as follows:

''Sec. 15. With respect to its budget for fiscal year 1983-84, each local government shall publish the notice required by subsection 4 of NRS 354.5982, as amended, on or before the date of adoption of its final budget.''.

Amend sec. 15, page 13, line 34, by deleting ''section 13'' and inserting ''sections 13 and 15''.

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 449 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted and re-engrossed.

Senate Bill No. 28.

Bill read third time.

Remarks by Assemblyman Joerg.

Roll call on Senate Bill No. 28:

YEAS—42.

NAYS—None.

Senate Bill No. 28 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 183.

Bill read third time.

Remarks by Assemblymen May and Thomas.

Roll call on Senate Bill No. 183:

YEAS—40.

NAYS—Stone, Thomas—2.

Senate Bill No. 183 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 251.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 251:

YEAS—41.

NAYS—None.

Not voting—Nicholas.

Senate Bill No. 251 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that the vote whereby Amendment No. 697 to Assembly Bill No. 449 was adopted be rescinded.

Remarks by Assemblyman Schofield.

Motion carried.

Assemblyman Schofield moved that Assembly Bill No. 449 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 391.

Bill read third time.

The following amendment was proposed by the Committee on Economic Development, Tourism and Mining:

Amendment No. 694.

Amend sec. 11, page 4, by deleting lines 9 through 13 and inserting: "*commission are in the unclassified service of the state.*".

Amend sec. 30, page 11, by deleting lines 22 through 27 and inserting: "*all other nonclerical employees of the commission are in the unclassified service of the state.*".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 350, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 93, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 2, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 377.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 176, 261, 314, 329, 337.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Nevin, Sedway, Banner, Berkley, Bourne, Marvel, Chaney, Coffin, Collins, Craddock, Dini, Fay, Jeffrey, Kovacs, Perry, Price, Sader, Schofield, Swain, Thompson and Vergiels:

Assembly Concurrent Resolution No. 37—Directing the governor's office of community services to use money received by this state from the Federal Government for overcharges by oil companies to assist the needy in paying their utility bills.

Assemblyman Nevin moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Nevin and Sedway:

Assembly Concurrent Resolution No. 38—Directing the public service commission of Nevada to exercise its power to prevent any utility from filing more than one application for an increase of a rate within any 180-day period.

Assemblyman Nevin moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Marvel, Thompson, Stone, Bergevin, Bilyeu and Getto:

Assembly Bill No. 584—An Act relating to railroads; increasing the amount which may be recovered in a suit against a railroad for injury to livestock; increasing the rate of interest; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Welfare:

Assembly Bill No. 585—An Act relating to health facilities; making various changes to the law governing planning for the provision of

health care; altering the membership of the state health coordinating council; exempting the department of human resources from certain provisions of the Nevada Administrative Procedure Act in the adjudication of contested cases involving the issuance of letters of approval; providing civil penalties; and providing other matters properly relating thereto.

Assemblyman Chaney moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblymen Nevin, Sedway, Marvel, Banner, Bourne, Chaney, Coffin, Collins, Fay, Jeffrey, Perry, Price, Schofield and Vergiels:

Assembly Bill No. 586—An Act relating to public utilities; requiring a utility which has supplied electricity or natural gas to a dwelling to disclose to a prospective tenant the past average use of that energy in the dwelling; requiring a utility to provide available information on the rating of a dwelling for its use of energy; requiring a landlord to inform a prospective tenant of the availability of this information; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Sedway, Nevin, Bourne, Banner, Bremner, Chaney, Marvel, Coffin, Collins, Dini, Fay, Kovacs, Perry, Price, Sader, Schofield, Thompson and Vergiels:

Assembly Bill No. 587—An Act relating to public utilities; permitting the public service commission of Nevada to require utilities to establish special rates for elderly persons of low income; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Sedway, Nevin, Banner, Marvel, Berkley, Bourne, Bremner, Chaney, Coffin, Collins, Craddock, Dini, Fay, Jeffrey, Perry, Price, Sader, Schofield, Swain, Thompson and Vergiels:

Assembly Bill No. 588—An Act relating to public utilities; requiring any amount in excess of the authorized rate of return to be refunded to the customers of the utility; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Nevin and Sedway:

Assembly Bill No. 589—An Act relating to public service commission of Nevada; increasing the number of commissioners; terminating the terms of the current commissioners; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 590—An Act relating to insurance; requiring that insurers provide notices to certain holders of insurable interests in property; revising provisions relating to certain notices to policyholders; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 176.

Asemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 261.

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

Motion carried.

Senate Bill No. 314.

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

Motion carried.

Senate Bill No. 329.

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

Motion carried.

Senate Bill No. 337.

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

Motion carried.

Senate Bill No. 377.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Commerce:

Assembly Joint Resolution No. 30—Urging Congress to abolish the Federal Reserve System and take other steps to return the nation's monetary system to a sound footing.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Commerce.

Motion carried.

Assemblyman Bremner moved that Senate Bill No. 93 be taken from the General File and placed on the General File for the next legislative day.

Remarks by Assemblyman Bremner.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 350.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 719.

Amend section 1, page 1, line 5, by deleting "repair" and inserting "[repair] *reconstruction*".

Amend section 1, page 1, line 7, by deleting "repair" and inserting "[repair] *reconstruction*".

Amend section 1, page 2, line 12, by deleting "*repair*" and inserting "*reconstruction*".

Amend section 1, page 2, line 14, by deleting "*$10,000*" and inserting "*$50,000*".

Amend sec. 2, page 2, line 24, by deleting "*$10,000*" and inserting "*$50,000*".

Amend sec. 2, page 2, line 31, by deleting "repair" and inserting "[repair] *reconstruct*".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 140, 206; Senate Concurrent Resolution No. 33.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Richard Myers.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Michael Zimmer.

On request of Assemblyman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Breunig, Kirsch, Randall, Breeden, Kellogg, Donnelly, Oakes, Ives and students from St. Teresa's Catholic School, Carson City, Nevada: M. Breunig, B. Thornley, J. Bell, V. Antkowiak, S. Kirsch, P. Holzhauer, A. Rodriguez, B. Grunwald, M. Glon, P. Knight, C. Brown, K. Knight, K. Putzer, K. Randall, J. Breeden, J. Hermon, G. Mason, M. Lepire, R. Selmi, J. Kellogg, M. McGrunder, A. Baerlocher, J. Thompson, A. Donnelly, K. Walsh, L. Wilhite, D. Johnson, S. Tapia, C. Oakes, R. Sgambelluri, P. Miller, P. Doring, V. Ives, A. Lynn and J. Millay.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, May 3, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 12:44 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND SEVENTH DAY

CARSON CITY (Tuesday), May 3, 1983

Assembly called to order at 11:02 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all,

On days like today we know the awesomeness and the power of the natural forces which surround us. We are reminded on days like today of just how frail we all are, and of just how frail are the things we build. We are reminded just how much we need you, O Lord, as the sure foundation undergirding all that we are and seek to become, and all that we do.

Be with the people of Coalinga.

We commit ourselves once again into your care and keeping. We ask your special blessings upon all those here as they seek to build as well as to govern. Be their sure foundation.

Lord in your mercy.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, to which were referred Assembly Bills Nos. 510, 523, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 151, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Government Affairs.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 403, 404, 418, 504, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 401, 512, 525; Senate Bill No. 104, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 277, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 551, 562; Assembly Joint Resolution No. 23, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 527, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 292, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 143, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and re-refer to the Committee on Ways and Means.

PAUL W. MAY, *Chairman*

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

Assembly in recess at 11:06 a.m.

ASSEMBLY IN SESSION

At 11:07 a.m.
Mr. Speaker presiding.
Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 2, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 148, 385, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 97.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 151.

MAE LOFTHOUSE
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 3, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 34, 36.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 40.

JANICE L. THOMAS
Secretary of the Senate

GENERAL FILE AND THIRD READING

Assembly Bill No. 197.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 197:
YEAS—42.
NAYS—None.

Assembly Bill No. 197 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 248.
Bill read third time.
Remarks by Assemblyman Schofield.
Roll call on Assembly Bill No. 248:
YEAS—41.
NAYS—None.
Not voting—Humke.

Assembly Bill No. 248 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.
Motion carried.

Assembly in recess at 11:10 a.m.

ASSEMBLY IN SESSION

At 11:15 a.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 497.
Bill read third time.
Remarks by Assemblymen Craddock and Ham.
Roll call on Assembly Bill No. 497:
YEAS—42.
NAYS—None.

Assembly Bill No. 497 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 552.
Bill read third time.
Remarks by Assemblyman Beyer.
Roll call on Assembly Bill No. 552:

YEAS—42.
NAYS—None.

Assembly Bill No. 552 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Senate Bills Nos. 92, 93 and 228 be taken from their positions on the General File and placed at the bottom of the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 116.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Assembly Bill No. 116:

YEAS—42.
NAYS—None.

Assembly Bill No. 116 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Assembly Bill No. 321 be taken from the General File and re-referred to the Committee on Ways and Means.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 350.
Bill read third time.
Remarks by Assemblymen Jeffrey, Stewart, Bourne, Dini and Getto.
Assemblyman Getto moved that Assembly Bill No. 350 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

Assembly Bill No. 361.
Bill read third time.
Remarks by Assemblymen Jeffrey, Getto, Stewart, Sedway and Stone.
Assemblyman Jeffrey moved that Assembly Bill No. 361 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

Assembly Bill No. 371.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 763.

Amend the bill as a whole by adding new sections, designated as sections 15.5, 16.5 and 17.5, following sections 15, 16 and 17 respectively, to read as follows:

"Sec. 15.5. NRS 370.170 is hereby amended to read as follows:

370.170 Except as otherwise provided in this chapter, it is unlawful for any person to give, sell or offer to give or sell any cigarettes in this state unless there is affixed to each of the packages, packets or containers an adhesive Nevada cigarette revenue stamp or a similar stamp affixed by a metered stamping machine approved by and registered with the department in the following denominations: On packages containing 20 cigarettes or less, [15] *10* cents per package; and on packages containing over 20 cigarettes, [15] *10* cents additional for each 20 cigarettes or fraction thereof contained in any such package.

Sec. 16.5. NRS 370.260 is hereby amended to read as follows:

370.260 1. All taxes and license fees imposed by this chapter, less any refunds granted as provided by law, must be paid to the department in the form of remittances payable to the department.

2. The department shall:

(a) As compensation to the state for the costs of collecting the taxes and license fees, transmit each month such sum as the legislature specifies from the remittances made to it pursuant to subsection 1 during the preceding month to the state treasurer for deposit to the credit of the department. The deposited money must be expended by the department in accordance with its work program.

(b) [From the remittances made to it pursuant to subsection 1 during the preceding month, less the amount transmitted pursuant to paragraph (a), transmit each month the portion of the tax which is equivalent to:

(1) Five cents per package, on packages containing 20 cigarettes or less; and

(2) Five cents additional for each 20 cigarettes or fraction thereof contained in any package containing over 20 cigarettes,

to the state treasurer for deposit to the credit of the account for the tax on cigarettes in the state general fund.

(c)] Transmit the balance of the payments each month to the state treasurer for deposit to the credit of the cigarette tax account in the intergovernmental trust fund.

[(d)] *(c)* Report to the state controller monthly the amount of collections.

3. The money in the cigarette tax account is hereby appropriated to Carson City and to each of the counties in proportion to their respective populations. The amount in the account which was collected during the preceding month must be apportioned by the department and distributed by the state controller as follows:

(a) In counties having a population of 5,000 or more:

(1) If there are no incorporated cities within the county, the entire amount must go into the county treasury.

(2) If there is one incorporated city within the county the money must be apportioned between the city and the county on the basis of the population of the city and the population of the county excluding the population of the city.

(3) If there are two or more incorporated cities within the county, the entire amount must be apportioned among the cities in proportion to their respective populations.

(b) In counties having a population of less than 5,000:

(1) If there are no incorporated cities or unincorporated towns within the county, the entire amount must go into the county treasury.

(2) If there is one incorporated city or one unincorporated town within the county the money must be apportioned between the city or town and the county on the basis of the population of the city or town and the population of the county excluding the population of the city or town.

(3) If there are two or more incorporated cities or unincorporated towns or an incorporated city and an unincorporated town within the county, the entire amount must be apportioned among the cities or towns in proportion to their respective populations.

(c) In Carson City the entire amount must go into the city treasury.

4. For the purposes of this section, "unincorporated town" means only those towns governed by town boards organized pursuant to NRS 269.016 to 269.019, inclusive.

Sec. 17.5. NRS 370.350 is hereby amended to read as follows:

370.350 1. Except as provided in subsection 3, a tax is hereby levied and imposed upon the use of cigarettes in this state.

2. The amount of the use tax is as follows: On packages containing 20 cigarettes or less, [15] *10* cents per package; and on packages containing over 20 cigarettes, [15] *10* cents additional for each 20 cigarettes or fraction thereof contained in any such package.

3. The use tax does not apply where:

(a) Nevada cigarette revenue stamps have been affixed to cigarette packages as required by law.

(b) Tax exemption is provided for in this chapter.".

Amend sec. 73, page 32, by inserting between lines 23 and 24:

"4. Sections 15.5, 16.5 and 17.5 of this act shall become effective on July 1, 1985.".

Amend sec. 73, page 32, line 24, by deleting "4." and inserting "5.".

Amend the title of the bill, first line, before "increasing" by inserting "temporarily".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblymen May and Bogaert.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 391.
Bill read third time.
Remarks by Assemblyman Price.
Roll call on Assembly Bill No. 391:
YEAS—42.
NAYS—None.

Assembly Bill No. 391 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 410.
Bill read third time.
Remarks by Assemblyman Price.
Roll call on Assembly Bill No. 410:
YEAS—41.
NAYS—Thomas.

Assembly Bill No. 410 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 431.
Bill read third time.
Remarks by Assemblymen Zimmer, Bourne, Dini and Swain.
Roll call on Assembly Bill No. 431:
YEAS—26.
NAYS—Bergevin, Beyer, Bogaert, Bourne, Brady, DuBois, Francis, Humke, Joerg, Malone, Nevin, Nicholas, Redelsperger, Stone, Thomas—15.
Not voting—Dini.

Assembly Bill No. 431 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 92.
Bill read third time.
Remarks by Assemblyman Kerns.
Roll call on Senate Bill No. 92:
YEAS—41.
NAYS—Thompson.

Senate Bill No. 92 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 93.
Bill read third time.
The following amendment was proposed by the Committee on Ways and Means:
Amendment No. 750.
Amend sec. 7, page 5, line 8, by deleting "trust" and inserting "special revenue".
Amend sec. 8, page 5, by deleting line 20 and inserting:
"321.520 1. For the".

Amend sec. 8, page 5, line 22, by deleting the period and inserting: "is hereby created in the state treasury as a special revenue fund.".

Amend sec. 12, page 9, line 4, by deleting the comma and inserting: "and as provided in NRS 365.535,".

Amend sec. 16, page 10, by deleting lines 16 through 42 and inserting:

"Sec. 16. (Deleted by amendment.)".

Amend sec. 21, page 12, line 38, by deleting "Section 1" and inserting: "Sections 1, 7, 8 and 12".

Amend the title of the bill, third and fourth lines, by deleting: "allowing the interest earned on the money in the livestock inspection fund to be credited to the fund;".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 228.

Bill read third time.

Remarks by Assemblyman Bourne.

Roll call on Senate Bill No. 228:

YEAS—42.

NAYS—None.

Senate Bill No. 228 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 488, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 2; Senate Bill No. 280, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 93, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 345; Senate Bills Nos. 177, 232, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 441, 466, 543; Senate Bill No. 8, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Bill No. 223, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 3, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 379, 380, 385, 410, 411.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 306, 318, 335.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 21.

JANICE L. THOMAS
Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 143 be re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Dini moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12 noon.

ASSEMBLY IN SESSION

At 12:06 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTONS AND NOTICES

By the Committee on Taxation:

Assembly Joint Resolution No. 31—Requesting the Congress of the United States to enact legislation which exempts the winnings of individual gaming patrons from income tax.

Assemblyman May moved that the resolution be referred to the Committee on Taxation.

Motion carried.

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 39—Directing the legislative commission to study the feasibility of creating a new county to govern the Nevada area of Lake Tahoe Basin.

Assemblyman Dini moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Joint Resolution No. 21.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 40.

Assemblyman Kovacs moved the adoption of the resolution.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Education:

Assembly Bill No. 591—An Act relating to education; creating the Nevada interscholastic activities association; providing for the establishment of policy within the association; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 592—An Act relating to the regulation of public utilities; reducing the conditions which must be imposed on a permit to construct a plant for generating electrical energy from geothermal sources for export; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Bourne and Price:

Assembly Bill No. 593—An Act relating to taxation; providing for the submission to the registered voters at the general election in 1984 of the question whether the Sales and Use Tax Act of 1955 should be amended to provide an exemption for machinery and related equipment and parts used in the manufacture of a product in Nevada; contingently creating similar exemptions from certain analogous taxes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 594—An Act relating to the local government employee-management relations act; making the act applicable to the University of Nevada System; increasing the scope of mandatory bargaining; requiring employees to pay the proportionate cost of the collective bargaining process; requiring submission of disputed issues to an arbitrator; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 595—An Act relating to planned unit development; repealing special requirement concerning resistance of common walls to fire; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 596—An Act relating to taxes on retail sales; authorizing counties to impose a tax to be used to promote tourism within the county; limiting the amount of the tax to one-quarter of 1 percent; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 597—An Act relating to underground water; requiring a notice of intent to declare a forfeiture where center-pivot irrigation is used; declaring such irrigation to be a good cause for an extension of time to work a forfeiture; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 598—An Act relating to prescriptions; providing that a physician or other practitioner is liable for prescriptions transmitted orally by his agent; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 599—An Act relating to vehicle dealers; adding the sale of new motorcycles to provisions concerning franchises; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Transportation (by request):

Assembly Bill No. 600—An Act relating to traffic; increasing the

penalty for unnecessary waste of a resource currently in short supply; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Marvel:

Assembly Bill No. 601—An Act relating to county hospitals; limiting the liability of an indigent's home county for the expenses of hospital care furnished him in another county; defining the time for a hospital to notify a nonresident patient's home county; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 602—An Act relating to police judges; allowing cities to provide that a justice of the peace is ex officio the police judge of the city; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 97.

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

Motion carried.

Senate Bill No. 306.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 318.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 335.

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

Motion carried.

Senate Bill No. 379.

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

Motion carried.

Senate Bill No. 380.

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

Motion carried.

Senate Bill No. 385.

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

Motion carried.

Senate Bill No. 410.

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

Motion carried.

Senate Bill No. 411.

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

Motion carried.

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

Assembly in recess at 12:18 p.m.

ASSEMBLY IN SESSION

At 12:19 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 151.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 677.

Amend section 1, page 1, by deleting line 1 and inserting:

"Section 1. NRS 278.498 is hereby amended to read as follows:

278.498 1. The ordinance adopted pursuant to NRS 278.4979 [shall,] *must,* insofar as practicable, conform to the recreation plan incorporated in the applicable master plan.

2. If no [such] recreation plan is incorporated in [such] *the* master plan, the ordinance [shall,] *must,* by means of accompanying maps, diagrams, charts, descriptive matter and reports, also adopt a recreation plan. [Such plan shall] *The plan must* provide for a comprehensive system of recreation areas, including natural reservations, parks, parkways, beaches, playgrounds and other recreation areas, as well as the location thereof, when practicable.

3. The recreation plan adopted pursuant to subsection *1 or* 2 [shall] *must* discuss and outline the proposed method or methods of [implementing] *carrying out* the acquisition, development, operation and maintenance of the recreation facilities for which it provides.

Sec. 2. NRS 278.4981 is hereby amended to read as follows:

278.4981 [1. Any city or county which makes dedication of sites for parks and playgrounds mandatory shall adopt regulations that] *The ordinance adopted pursuant to NRS 278.4979 must* set forth the standards to be applied in determining the amount of land that is required

to be dedicated. The [regulations shall be adopted in accordance with procedures set forth in the Nevada Administrative Procedure Act and shall] *ordinance must* contain standards determining the amount, quality and location of land that is required to be dedicated which are based upon the number and type of dwelling units or structures, apartment houses or mobile home lots, or any combination thereof, included in each subdivision or development and give due consideration to the relative desirability and market value of the land that may be included within the area of any particular proposed subdivision or development.

2. The [regulations also may,] *ordinance must,* without limiting the general powers conferred in this chapter, include the following:

(a) Provisions for the creation, in accordance with the applicable master plan, of park districts or service areas which would serve neighborhoods or communities of interest within the city or county.

(b) A delegation of authority to designated departments or agencies of the city or county to select the location of the land areas to be dedicated for park and playground purposes. [If park districts or service areas have been created pursuant to paragraph (a), the] *The* land to be dedicated for park and playground purposes [shall] *must* be within the park district or service area *created pursuant to paragraph (a)* in which the subdivision, apartment house or mobile home lots are located.

(c) [Provisions requiring a subdivider or developer, in lieu of dedicating the sites, to pay to the city or county a sum of money equal to the value of the land that would otherwise be required to be dedicated for park and playground purposes, whenever the department or agency charged with administering the dedication provisions determines that it would not be in the public interest to accept the dedication in connection with a particular proposed subdivision or development. If this provision is included in the regulation, the standards to be applied in determining when it is not in the public interest to accept the dedication and the method of making payment shall be set forth. All money so received shall be held by the city or county, or a designated department or agency thereof, in a special account, and shall be used to acquire or develop or both acquire and develop park and playground sites for the benefit of the residents of the city or county. If park districts or service areas have been created pursuant to paragraph (a), the money in the special account shall be expended for the benefit of the residents of the property within the park district or service area from which the money is derived.

(d) Provisions establishing standards for the application and use of money subject to the limitations set forth in this section.

(e) Requirements that payment in lieu of dedication shall be a condition precedent to the approval of any subdivision or other plat building permit, or that payment may be deferred or made in installments following approval of a subdivision or other plat building permit application upon the subdivider's or developer's posting of a good and sufficient surety bond guaranteeing the payment.

(f) Provisions that payment in lieu of dedication may also be required of any person who proposes to construct a residential dwelling unit or

units on a building site within property previously subdivided.] *A provision limiting the amount of land required to be dedicated to an amount of land having a fair market value, determined by independent appraisal, which does not exceed the amount of any residential construction tax which would otherwise have been collected under NRS 278.4983.*

(d) A provision allowing an increase in the number of dwelling units or structures, apartment houses or mobile home lots, or any combination of them, in the subdivision equal to the number which would otherwise have been allowed on the land dedicated for parks and playgrounds.

(e) A provision for the transfer of title to the dedicated land upon the development of the first property immediately adjacent to the site of the park or playground.

2. If the land area dedicated by any subdivider or developer exceeds a proportionate contribution to the total parksite, taking into consideration the total residents of the subdivision or development and residents of nearby areas reasonably expected to benefit therefrom, the subdivider or developer making the dedication shall be compensated at fair market value for the excess value contributed.

3. *When 25 percent of the property immediately adjacent to the site of the park or playground is developed, the local governing body or agency to which the dedicated land is conveyed shall provide for planning, public hearings and the adoption of a plan for development of the site, a schedule of that development and a plan for financing which includes operational and maintenance costs of the park or playground.*

4. If within 3 years after the date on which 75 percent of the residential dwelling units authorized within a particular [subdivision or development or, if created, a] park district or service area first become occupied [:

(a) A] *a* park or playground has not been developed on the land dedicated for that purpose, title to [such land shall revert] *the land reverts* to the owners of the lots in the subdivision at the time of the reversion on a pro rata basis.

[(b) A park or playground has not been developed within the park district or service area created to serve the neighborhood in which the subdivision or development is located, or, if no such park district or service area has been created, within the immediate neighborhood of such subdivision or development, all money paid by the subdivider or developer in lieu of dedication shall be refunded with interest to the owners of the lots in the subdivision at the time of the reversion on a pro rata basis and any surety bond posted in lieu of such payment shall be exonerated.]

Sec. 3. NRS 278.4983 is hereby amended to read as follows:

278.4983 1. The city council of any city or the board of county commissioners of any county which has adopted a master plan, as provided in this chapter, which includes, as a part of the plan, future or present sites for parks and playgrounds may impose a residential construction tax pursuant to this section.

2. The [tax shall be known as a] residential construction tax [and

shall be] *is* imposed on the privilege of constructing apartment houses and residential dwelling units and developing mobile home lots in the respective cities and counties.

3. The purpose of the tax is to raise revenue to enable the cities and counties to provide parks and playgrounds which are required by the residents of [such] *those* apartment houses, mobile homes and residences.

4. The city councils and the boards of county commissioners [shall have power and jurisdiction] *may,* in their respective cities and counties , [to] enact ordinances establishing the procedures for collecting the tax, setting [the rates for each type of apartment house, mobile home lot and residential dwelling unit] *its rate, which must not exceed 1 percent of the valuation on the building permit for single-family residences,* and determining the purposes for which the tax is to be used, subject to the restrictions [of subsection 5.] *and standards provided in this chapter. The ordinance must, without limiting the general powers conferred in this chapter, include the following:*

(a) Provisions for the creation, in accordance with the applicable master plan, of park districts or service areas which would serve neighborhoods or communities of interest within the city or county.

(b) A provision for collecting the tax at the time a building permit for the construction of any apartment houses, residential dwelling units or mobile home lots is issued.

5. All of the residential construction taxes collected pursuant to the provisions of this section and any ordinance enacted by a city council or board of county commissioners [shall] *, and all interest accrued on the money, must* be placed with the city treasurer or county treasurer in a special fund. [The fund shall] *Except as provided in subsection 6, the fund may* only be used for the acquisition, improvement and expansion of public park, playground and recreational facilities in the city or county. [Moneys] *Money* in the fund [shall] *must* be expended, insofar as it is practicable and feasible to do so, for the benefit of the immediate area from which they were collected.

6. If within 3 years after the date on which 75 percent of the residential dwelling units authorized within a particular park district or service area first become occupied, a park or playground has not been developed within the park district or service area created to serve the neighborhood in which the subdivision or development is located, all money paid by the subdivider or developer must be refunded with interest to the owners of the lots in the subdivsiion or development at the time of the reversion on a pro rata basis.

Sec. 4. NRS 278.4985 is hereby amended to read as follows:

278.4985 *1.* The city council of any city or the board of county commissioners of any county which has adopted a master plan as provided in this chapter which includes future or present sites for parks and playgrounds may require that:

[1.] *(a)* The developers of a planned unit development dedicate land [or make in-lieu payments in the manner] *as* provided by NRS 278.4979 to 278.4981, inclusive; or

[2.] *(b)* A residential construction tax be imposed on the privilege

of constructing planned unit developments in the manner provided by NRS 278.4983,

if the ordinance defining and regulating planned unit developments in the particular city or county imposes open space requirements less than those required by the [regulations] *ordinance* adopted pursuant to NRS 278.4981.

2. *If a requirement to dedicate land or pay a residential construction tax is imposed on the construction of a planned unit development, the planned unit development is eligible to receive a credit against the amount of land to be dedicated or the amount of the residential construction tax imposed, for the amount and value of the private open space within the development.*''.

Amend the title of the bill, first line, by deleting ''repealing'' and inserting: ''making substantial changes to''.

Amend the summary of the bill, first line, by deleting ''Repeals'' and inserting: ''Makes substantial changes to''.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Assemblyman Dini moved that Assembly Bill No. 151 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 277.

Bill read second time.

The following amendment was proposed by Assemblyman Humke:

Amendment No. 710.

Amend section 1, page 1, line 2, by deleting ''4,'' and inserting ''5,''.

Amend sec. 2, page 1, line 5, by deleting ''*transfer*'' and inserting: ''*arrange the transfer of*''.

Amend sec. 2, page 1, by deleting lines 9 and 10 and inserting: ''*alternatives available, unless his condition necessitates an immediate transfer to a facility for a higher level of care and he is unable to understand the explanation.*''.

Amend sec. 3, page 1, line 13, by deleting the period and inserting: ''*which relates to his care.*''.

Amend sec. 3, page 1, line 16, by deleting ''*physician*'' and inserting ''*person*''.

Amend sec. 3, page 2, by deleting lines 5 and 6 and inserting: ''*mation to the patient, the physician shall:*

(a) Provide the information to an appropriate person responsible for the patient; and

(b) Inform that person that he shall not disclose the information to the patient.''.

Amend sec. 4, page 2, line 23, after ''*treatment*'' by inserting: ''*to the extent permitted by law*''.

Amend sec. 4, page 2, by deleting line 33 and inserting:

"*5. Have any reasonable request for services reasonably satisfied by the facility considering its ability to do so.*".

Amend sec. 4, page 2, lines 36 and 37, by deleting "*physicians*" and inserting "*persons*".

Amend sec. 5, pages 2 and 3, by deleting lines 40 through 44 on page 2 and lines 1 through 12 on page 3 and inserting:

"Sec. 5. *Every health and care facility shall inform each patient or his legal representative, upon his admission to the facility, of the patient's rights as listed in sections 2, 3 and 4 of this act.*".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblyman Humke.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 401.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 681.

Amend section 1, page 1, line 5, by deleting "*January 31*" and inserting "*July 1*".

Amend section 1, page 1, line 11, by deleting "*national*" and inserting "*nationally recognized*".

Amend sec. 4, page 2, by deleting lines 12 through 15 and inserting:

"Sec. 4. The terms of the persons who hold the offices of commissioner and deputy commissioner for veteran affairs on June 30, 1983, expire at 12:01 a.m. on July 1, 1983. They shall serve thereafter until their successors have been appointed. The governor shall appoint a commissioner and deputy commissioner for a term ending on July 1, 1987.".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 510.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 664.

Amend section 1, page 1, line 5, after "*registration.*" by inserting: "*The county clerk may, for that purpose, issue to the voters identification cards.*".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 512.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 548.

Amend sec. 3, page 5, line 8, by deleting "*R. 22 E.,*" and inserting "*T. 22 N.,*".

Amend sec. 3, page 5, line 13, by deleting "*easterly*" and inserting "*westerly*".

Amend sec. 3, page 5, line 21, by deleting "*R. 25 E.,*" and inserting "*T. 24 N.,*".

Amend sec. 3, page 5, line 26, after "*the*" by inserting "*common*".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 523.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 680.

Amend section 1, page 1, by inserting between lines 8 and 9:

"*3. If such a district is created, the county clerk shall compile and make available the information required of him by this chapter in a manner which sets forth that information by precinct.*".

Amend sec. 2, page 1, by inserting between lines 18 and 19:

"*4. If such a district is created, the county clerk shall compile and make available the information required of him by chapter 293 of NRS in a manner which sets forth the information by precinct.*".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 525.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 705.

Amend section 1, page 1, by deleting lines 4 through 7 and inserting: "*commissioners to designate as uncollectible those taxes on personal property:*

(a) Which have been delinquent for 5 years or more;

(b) Whose amount, including penalties and costs, is $25 or less; and

(c) For whose collection all appropriate procedures have been followed and have proved unsuccessful.

The board may grant or deny".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 527.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 720.

Amend section 1, page 1, lines 5 and 6, by deleting: ", plus interest thereon at the rate of 8 percent per annum." and inserting a period.

Amend the title of the bill, third line, by deleting ", plus interest;" and inserting a semicolon.

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 104.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 693.

Amend sec. 7, page 3, by deleting lines 16 through 26 and inserting:

"2. *When a public utility has fully recovered its share of the cost of conversion and the debt and interest thereon are paid, or at the end of the period set for the recovery, whichever is sooner, it shall:*

(a) Stop the adjustment;

(b) Rescind the applicable tariff;

(c) Present the commission with proof of the public utility's compliance with all orders of the commission regarding the adjustment; and

(d) Present the commission with a complete accounting of the cost of conversion and revenues it has received through the adjustment.

3. If the proof so presented in subsection 2 shows that the revenue collected pursuant to the adjustment is not equal to the public utility's share of the cost of the conversion, the commission shall order any actions necessary to return any excess or collect the amount still needed for full recovery.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 2.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 682.

Amend section 1, page 1, line 2, by deleting "$40,000" and inserting "$35,000".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 345.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 743.

Amend sec. 2, page 2, line 3, by deleting "*statute or regulation.*" and inserting: "*statute, ordinance or regulation.*".

Amend the bill as a whole by deleting sections 7 through 10 and by inserting:

"Secs. 7-10. (Deleted by amendment.)".

Amend sec. 11, page 5, lines 11 and 12, by deleting: "*NRS 268.260, 278.020, 278.250, 278.645 and*".

Amend sec. 12, pages 5 and 6, by deleting lines 25 through 44 on page 5 and lines 1 through 10 on page 6 and inserting:

"Sec. 12. (Deleted by amendment.)".

Amend the title of the bill to read as follows:

"An Act relating to regulation of the use of land; providing a cause of action for damages caused by certain actions taken by a state or local agency upon an application for a permit; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides causes of action for damages caused by certain actions taken on application for permit.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 441.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 749.

Amend section 1, page 1, line 3, by deleting: "[30] *45* days or," and inserting "[30 days or,]".

Amend section 1, page 1, line 6, after "increase." by inserting: "*In all other cases the number of days in advance which the notice must be given must equal the number of days of notice the tenant is required to give to terminate the tenancy plus 15 days.*".

Assemblyman Francis moved the adoption of the amendment.

Remarks by Assemblyman Francis.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 466.

Bill read second time.

The following amendment was proposed by Assemblyman Jeffrey:

Amendment No. 726.

Amend section 1, page 1, line 5, by deleting "*8*" and inserting "*5*".

Amend section 1, page 1, by deleting lines 8 and 9 and inserting: "*landlord shall pay the tenant all interest on the deposit which has*

accrued during the tenancy at the time the landlord returns the deposit pursuant to NRS 118A.240.''.

Amend section 1, pages 1 and 2, by deleting lines 12 through 14 on page 1 and lines 1 through 3 on page 2 and inserting:

''*3. If a landlord fails to pay the interest as required by this sec-*''.

Amend section 1, page 2, line 6, by deleting ''*5.*'' and inserting ''*4.*''.

Amend section 1, page 2, by deleting line 9 and inserting:

''*5. As used in this section, ''deposit'' means the money, if the total amount exceeds $99, paid by a*''.

Amend section 1, page 2, line 14, by deleting ''*7.*'' and inserting ''*6.*''.

Amend the bill as a whole by renumbering section 2 as section 3 and adding a new section, designated section 2, following section 1, to read as follows:

''Sec. 2. NRS 645.310 is hereby amended to read as follows:

645.310 1. All deposits accepted by every real estate broker or person registered as an owner-developer pursuant to this chapter, which are retained by him pending consummation or termination of the transaction involved, must be accounted for in the full amount at the time of the consummation or termination.

2. Every real estate salesman or broker-salesman who receives any money on behalf of a broker or owner-developer shall pay over the money promptly to the real estate broker or owner-developer.

3. A real estate broker shall not commingle the money or other property of his principal with his own.

4. [If] *Except as otherwise provided in this subsection, if* a broker receives money, as a broker, which belongs to others, he shall promptly deposit the money in a separate checking account in a bank in this state which must be designated a trust account. All down payments, earnest money deposits, rents, or other money which he receives, on behalf of his principal or any other person, must be deposited in the account unless all persons who have any interest in the money have agreed otherwise in writing. *Any money paid to a broker as a deposit, as that term is defined in section 1 of this act, may be deposited in an interest-bearing account in a financial institution in this state if it is designated a trust account.* A real estate broker in his discretion may pay to any seller or the seller's authorized agent the whole or any portion of such special deposit. The real estate broker is personally responsible and liable for such deposit at all times. A real estate broker shall not permit any advance payment of money belonging to others to be deposited in the real estate broker's business or personal account or to be commingled with any money he may have on deposit.

5. Every real estate broker required to maintain a separate trust account shall keep records of all money deposited therein. The records must clearly indicate the date and from whom he received money, the date deposited, the dates of withdrawals, and other pertinent information concerning the transaction, and must show clearly for whose account the money is deposited and to whom the money belongs. All

such records and money are subject to inspection and audit by the division and its authorized representatives. All such separate trust accounts must designate the real estate broker as trustee and provide for withdrawal of money without previous notice.

6. Each broker shall notify the division of the names of the banks in which he maintains trust accounts and specify the names of the accounts on forms provided by the division.''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 488.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 740.

Amend sec. 3, page 1, line 13, by deleting: ''*on each cart and*''.

Amend sec. 3, page 2, line 2, by deleting ''*display a:*'' and inserting ''*have a*''.

Amend sec. 3, page 2, by deleting line 3.

Amend sec. 3, page 2, line 4, by deleting ''*2. Copy*'' and inserting ''*copy*''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 543.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 731.

Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:

''Sec. 2. NRS 14.010 is hereby amended to read as follows:

14.010 1. In an action for the foreclosure of a mortgage upon real property, or affecting the title or possession of real property, the plaintiff, at the time of filing the complaint, and the defendant, at the time of filing his answer, [when] *if* affirmative relief is claimed in [such answer, or at any time afterwards, may] *the answer, shall* file with the recorder of the county in which the property, or some part thereof, is situated, a notice of the pendency of the action, containing the names of the parties, the object of the action [,] and a description of the property, in that county affected thereby, and the defendant [may] *shall* also in [such] *the* notice state the nature and extent of the relief claimed in the answer.

2. A notice of an action affecting real property, which action is pending in any United States District Court for the District of Nevada may be recorded and indexed in the same manner and in the same place as provided with respect to actions pending in courts of this state.

3. From the time of filing [,] only, [shall] the pendency of the action [be] *is* constructive notice to a purchaser or [incumbrancer] *encumbrancer* of the property affected thereby; and in case of the foreclosure of [such] *the* mortgage , all purchasers or [incumbrancers,] *encumbrancers,* by unrecorded deed or other instrument in writing made [prior to] *before* the filing of [such] *the* notice, and [subsequent to] *after* the date of [such] *the* mortgage, shall be deemed [and held] purchasers or [incumbrancers subsequent to] *encumbrancers after* the filing of [such] *the* notice, and subject thereto, unless they can show that at the time of filing the notice the plaintiff had actual notice of [such] *the* purchase or [incumbrance.] *encumbrance.*''.

Amend the title of the bill by deleting the first and second lines and inserting:

''An Act relating to liens; requiring notice of lis pendens to be filed under certain circumstances; and providing other''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 8.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 721.

Amend the bill as a whole by deleting sections 1 and 2 and inserting:

''Section 1. Chapter 624 of NRS is hereby amended by adding thereto a new section which shall read as follows:

Before granting an original or renewal of a contractor's license to any applicant, the board shall require that the applicant submit to the board:

1. Proof of industrial insurance and insurance for occupational diseases which covers his employees; or

2. A copy of his certificate of qualification as a self-insured employer which was issued by the commissioner of insurance.

Sec. 2. NRS 624.3011 is hereby amended to read as follows:

624.3011 The following acts, among others, constitute cause for disciplinary action under NRS 624.300:

1. Willful and prejudicial departure from or disregard of plans or specifications in any material respect without the consent of the owner or his duly authorized representative and the person entitled to have the particular construction project or operation completed in accordance with [such] *the* plans and specifications.

2. Willful or deliberate disregard and violation of:

(a) The building laws of the state or of any political subdivision thereof.

(b) The safety laws or labor laws [or compensation insurance laws] of the state.

(c) Any provision of the Nevada health and safety laws or [Nevada

laws and rules and regulations promulgated] *the regulations adopted* thereunder relating to the digging, boring or drilling of water wells.

(d) The laws of this state regarding industrial insurance.

Sec. 3. Chapter 616 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. The manager shall notify the state contractors' board within 10 days after the system becomes aware that a contractor's coverage has lapsed.

2. The commissioner shall notify the state contractors' board within 10 days after a contractor's certificate of qualification as a self-insured employer is canceled or withdrawn.''

Amend the title of the bill to read as follows:

''An Act relating to contractors; requiring proof of industrial insurance for the issuance or renewal of a contractor's license; requiring notice to state contractors' board of lapse, cancellation or withdrawal of a contractor's industrial insurance; and providing other matters properly relating thereto.''.

Amend the summary of the bill to read as follows: ''Requires proof of industrial insurance for issuance or renewal of contractor's license.''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 177.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 729.

Amend sec. 2, page 2, line 8, after ''*aside*'' by inserting: ''*in whole or in part*''.

Amend sec. 3, page 2, line 18, after ''*jurisdiction*'' by inserting '', *after hearing,*''.

Amend sec. 3, page 2, line 23, by deleting ''*and*''.

Amend sec. 3, page 2, by deleting lines 24 and 25 and inserting:

''*(c) The court finds there is a reasonable likelihood that the applicant will prevail on the merits of the matter and will suffer irreparable injury if injunctive relief is not granted; and*

(d) The applicant files a bond or other undertaking to secure the adverse parties in such manner as the court finds sufficient.''.

Amend sec. 4, page 3, line 4, by deleting ''*pay*'' and inserting ''*refund*''.

Amend sec. 4, page 3, by deleting line 5 and inserting: ''*rates pursuant to a plan approved by the commission:*''.

Amend sec. 4, page 3, by deleting line 12 and inserting: ''*money has been refunded according to the approved plan, and if there are persons to*''.

Amend sec. 4, page 3, line 24, after ''*person*'' by inserting ''*entitled thereto*''.

Amend sec. 4, page 3, line 26, after ''*all*'' by inserting ''*valid*''.

Amend sec. 4, page 3, by deleting lines 36 and 37 and inserting: "*presented to it by a person claiming a refund under a plan submitted by a public utility or motor carrier which was approved by the commission. If the inves-*".

Amend sec. 4, page 3, line 39, by deleting "*the claim*" and inserting "*a valid claim*".

Amend sec. 6, page 4, line 7, after "*license*" by inserting: "*issued in accordance with the provisions of NRS 706.011 to 706.791, inclusive,*".

Amend sec. 6, page 4, line 10, by deleting the period and inserting: "*but as to a public utility only if the commission has arranged for another public utility to provide the service for which the certificate was granted.*".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 223.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 723.

Amend the bill as a whole by renumbering section 4 as section 5 and adding a new section, designated section 4, following section 3 to read as follows:

"Sec. 4. Section 34 of chapter 169, Statutes of Nevada 1983, is hereby amended to read as follows:

Sec. 34. NRS 561.407 is hereby amended to read as follows:

561.407 1. The Nevada beef promotion fund is hereby created as [a special revenue] *an agency* fund [.] *in the state treasury.* The proceeds of the special fee on cattle levied pursuant to NRS 575.070 must be deposited in this fund and all refunds made pursuant to NRS 575.070 must be paid from the fund.

2. On or before June 30 of each year, the state controller shall draw his warrant in favor of the National Livestock and Meat Board for the amount in the Nevada beef promotion fund and shall transmit the warrant to the payee through the executive director, to be used to promote the consumption of domestic beef and beef products and for the general benefit of beef producers.".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to the Concurrent Committee on Ways and Means.

Senate Bill No. 232.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 722.

Amend sec. 63, page 24, by deleting lines 11 through 22 and inserting:

"284.384 1. The [chief] *director* shall propose, and the commission shall adopt, regulations which provide for the adjustment of grievances for which a hearing is not provided by NRS 284.376 or 284.390.

2. The regulations must provide procedures for:

(a) Consideration and adjustment of the grievance within the agency in which it arose.

(b) Submission of the grievance to the [personnel division] *department* for review and recommendation if no resolution is reached within the agency.

(c) Submission to the employee-management committee for final decision if the employee is still dissatisfied with the resolution of the dispute.

3. The regulations must include provisions for:

(a) Submitting each proposed resolution of a dispute which has a fiscal effect to the budget division of the department of administration for a determination by that division whether the resolution is feasible on the basis of its fiscal effects; and

(b) Making the resolution binding.".

Amend the bill as a whole by adding new sections designated sections 83.3 and 83.7, following section 83, to read as follows:

"Sec. 83.3. Section 3 of Assembly Bill No. 282 of the 62nd session of the legislature is hereby amended to read as follows:

Sec. 3. 1. The chairman of the employee-management committee must be chosen by a majority vote of the members.

2. The committee shall adopt such rules as it deems necessary for its own management.

3. The committee shall meet at least once every 3 months and at such other times as the chairman may designate.

4. The [personnel division] *department* shall provide secretarial services for the committee.

Sec. 83.7. Section 4 of Assembly Bill No. 282 of the 62nd session of the legislature is hereby amended to read as follows:

Sec. 4. The employee-management committee shall:

1. Serve in an advisory capacity to the governor, the commission and the [personnel division] *department* with respect to all matters of personnel administration and relations between management and employees.

2. Receive, consider and make recommendations on matters relating to personnel administration, policy and procedures.

3. Provide a forum for the hearing of employees' suggestions, complaints or disciplinary problems.

4. Provide a means of communication for disseminating information to employees regarding the personnel program.

5. Hold hearings, when requested, and make final decisions for the adjustment of grievances as provided by the regulations of the commission.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 280.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 683.

Amend section 1, page 1, by deleting lines 3 through 5 and inserting: "NRS 353.264 the sum of $150,000 to be used to pay the actual costs of conducting any special election required by an act of the 62nd session of the legislature to be held in connection with the municipal election of 1983.".

Amend the title of the bill, second line, by deleting "a special election" and inserting "any special elections".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 364, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 133, 458, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 505, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 3, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 291, 421, 425.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 249.

JANICE L. THOMAS
Secretary of the Senate

GENERAL FILE AND THIRD READING

Assembly Bill No. 93.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 509.

Amend section 1, page 1, by deleting line 7 and inserting: "*sion, if the commission presents to the court evidence of its unsuccessful attempts to obtain the information before issuing a subpena.*".

Amend sec. 2, page 3, line 4, by deleting the period and inserting: "[.] *, if informal attempts to obtain the information are unsuccessful.*".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

SECOND READING AND AMENDMENT

Assembly Bill No. 133.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 708.

Amend sec. 6, page 1, by deleting lines 20 and 21 and inserting: "*coded instructions or statements which can be executed by a computer and cause the computer to perform one or more tasks.*".

Amend sec. 9, page 2, by deleting lines 11 and 12 and inserting:

"*(d) Uses;*

(e) Takes;

(f) Copies; or

(g) Enters,".

Amend sec. 9, page 2, line 39, by deleting "*$5,000.*" and inserting "*$100,000.*".

Amend sec. 10, page 2, line 40, by deleting "*4,*" and inserting "*3,*".

Amend sec. 10, page 3, by deleting lines 1 through 17 and inserting:

"*2. Except as otherwise provided in subsection 3, a person who knowingly, willingly and without authorization uses or causes the use of a computer system or network to:*

(a) Obtain personal information about another person; or

(b) Enter false information about another person to wrongfully damage or enhance that person's credit rating,

is guilty of a misdemeanor.".

Amend sec. 10, page 3, by deleting line 18 and inserting:

"*3. If the violation of subsection 1 or 2 was committed to devise*".

Amend sec. 10, page 3, line 22, by deleting "*$5,000.*" and inserting "*$100,000.*".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 364.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 733.

Amend section 1, page 2, by deleting lines 8 through 14 and inserting:

"*(i) Discharges or threatens to discharge an employee for exercising his rights under this chapter.*".

Amend section 1, page 2, line 15, by deleting "*3.*" and inserting "2.".

Amend section 1, page 2, by deleting line 16 and inserting:

"*a* fine imposed pursuant to subsection 1, the".

Amend section 1, page 2, line 20, by deleting "[3.] *4.*" and inserting "3.".

Amend section 1, page 2, line 23, by deleting "[4.] *5.*" and inserting "4.".

Amend section 1, page 2, line 24, by deleting "*or other penalty*".

Amend section 1, page 2, line 26, by deleting "[5.] *6.*" and inserting "5.".

Amend section 1, page 2, line 30, by deleting "[6.] *7.*" and inserting "6.".

Amend the title of the bill to read as follows:

"An Act relating to industrial insurance; providing a penalty for an employer's discharge of an employee because he has sought benefits under such insurance; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides penalty for discharge of employee who exercises his right to benefits under industrial insurance.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

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

Assembly in recess at 12:55 p.m.

ASSEMBLY IN SESSION

At 12:56 p.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 458.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 742.

Amend sec. 3, page 1, line 16, by deleting "or".

Amend sec. 3, page 1, line 18, by deleting the period and inserting: "; or

3. Determine whether he is engaged in unlawful activity.".

Amend sec. 4, page 2, line 4, by deleting the period and inserting: ",

absent independent evidence of unlawful conduct by the peace officer.".

Amend sec. 6, page 2, by deleting lines 19 through 22 and inserting:

"Sec. 6. (Deleted by amendment.)".

Amend sec. 7, page 2, line 24, by deleting the comma and inserting "before any hearing,".

Amend sec. 7, page 2, line 33, by deleting the period and inserting: "if no charges arise from the interrogation.".

Amend sec. 8, page 2, by deleting lines 34 through 39 and inserting:

"Sec. 8. (Deleted by amendment.)".

Amend sec. 9, page 3, line 1, after "request" by inserting "and expense".

Amend sec. 13, page 3, by deleting lines 27 and 28 and inserting:

"Sec. 13. (Deleted by amendment.)".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 505.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 728.

Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 706.8841 is hereby amended to read as follows:

706.8841 1. The administrator shall issue a driver's permit to qualified persons who wish to be employed by certificate holders as taxicab drivers. Before issuing a driver's permit, the administrator shall:

(a) Require the applicant to submit a set of his fingerprints, which must be forwarded to the Federal Bureau of Investigation to ascertain whether the applicant has a criminal record and the nature of any such record, and shall further investigate the applicant's background; and

(b) Require proof that the applicant:

(1) Has been a resident of the state for 30 days [prior to] *before* his application for a permit;

(2) Can read and orally communicate in the English language; and

(3) Has a valid license issued under NRS 483.325 which authorizes him to drive a taxicab in this state.

2. The administrator may refuse to issue a driver's permit if the applicant has been convicted of:

(a) A felony, other than a felony for a sexual offense, in the State of Nevada or any other state, territory or nation within 5 years before the date of the application, or a felony involving any sexual offense at any time; or

(b) Driving under the influence of intoxicating beverages, dangerous drugs or controlled substances within 3 years before the date of the application.

3. The administrator may refuse to issue a driver's permit if the administrator, after the background investigation of the applicant, determines that the applicant is morally unfit or if the issuance of the driver's permit would be detrimental to public health, welfare or safety.

4. A taxicab driver shall pay to the administrator, in advance, [the sum of $5] *$20* for an original driver's permit and [$2.50] *$5* for a renewal.''

Amend the title of the bill, second line, after ''authority;'' by inserting: ''increasing the fees for driver's permits;''.

Assemblyman Coffin moved the adoption of the amendment.

Remarks by Assemblyman Coffin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 564, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 96, 173, 190, 389, 402; Senate Bill No. 151; Assembly Joint Resolutions Nos. 17, 21; Assembly Concurrent Resolution No. 33; Senate Concurrent Resolution No. 34.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Mr. Speaker, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jason Brown.

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

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sandra Munley.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Nancy McGroarty, Messrs. Tom Carollo and Rich McNeel.

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sara Besser and Beverly Carlino.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, May 4, 1983, at 10:45 a.m.

Motion carried.

Assembly adjourned at 1:04 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND EIGHTH DAY

CARSON CITY (Wednesday), May 4, 1983

Assembly called to order at 10:48 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all,
The responsibility placed upon the men and women of this assembly is great.
Also, great is your faithfulness.
So, once again, we call upon you to be with them and to bless them as they struggle with the issues of this legislative day.
Where there is doubt, grant faith; where there is perplexity, grant clarity; where there is pressure to conform bring courage of honest conviction.
Lord, in your mercy.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 420; Senate Bill No. 117, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 445, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 279, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 583; Senate Bills Nos. 210, 268, 304, 309, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 238, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 555, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 298, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 10:52 a.m.

ASSEMBLY IN SESSION

At 10:58 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Kerns:

Assembly Bill No. 603—An Act relating to juries; exempting the members of all fire departments or organizations from service as a juror; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 604—An Act relating to public employees' retirement; exempting elective officials from the requirement that contributions paid by employers for employees be offset by reductions in salary; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 605—An Act relating to garnishment; establishing a new procedure for obtaining an order to withhold earnings to replace the use of the writ of garnishment; exempting assignments of wages for the support of minor children from the procedure; establishing the priorities of competing claims against wages; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Zimmer:

Assembly Bill No. 606—An Act relating to local government

employee-management relations; revising the procedures for recognition of the bargaining agent; adding provisions for clarification of a bargaining unit; revising the procedures for elections; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Zimmer:

Assembly Bill No. 607—An Act relating to local governments; clarifying the responsibilities of an exclusive representative of employees; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 292.

Bill read second time and ordered to third reading.

Assembly Bill No. 279.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 745.

Amend section 1, page 2, between lines 14 and 15 by inserting:

"*(f) The board of county commissioners must have solicited proposals from other parties for the sale or lease of the hospital and, after due consideration of all factors, determined that the sale or lease to this corporation is in the best interest of the county.*".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 298.

Bill read second time.

The following amendment was proposed by Assemblyman Beyer:

Amendment No. 377.

Amend the bill as a whole by deleting sections 1 through 4 and inserting:

"Section 1. NRS 244.050 is hereby amended to read as follows:

244.050 1. Whenever a number of registered voters equal to 35 percent or more of the number of persons registered to vote at the last preceding general election in any county in this state [having] *whose population is* less than 100,000 [population] petitions the board of county commissioners of their county to divide the county into three commissioner districts, or if the board has five members, into five commissioner districts, the question must be submitted to the qualified electors of the county for approval or disapproval at the next succeeding general election. *When such a question is so submitted, it must be*

accompanied on the ballot by a question to determine, if the electors approve the creation of the districts, whether the commissioners must be elected at large or by the qualified electors of their respective districts. If a majority of the voters voting on the question approve the division, the board of county commissioners shall divide the county into three commissioner districts, or five commissioner districts, as the case may be, on or before the 1st Monday in July preceding each general election. The division must be made to conform to the established boundaries of election precincts or wards, and each election precinct or ward must be wholly within one of the commissioner districts provided for in this section. Each commissioner district must embrace, as near as may be, one-third or one-fifth, as the case may be, of the population of the county, and must consist of adjoining precincts.

2. The board of county commissioners shall provide by resolution for the dates of election of commissioners from newly created districts, in such manner as to secure the earliest representation of each district as the terms of incumbent commissioners expire.

3. The board of county commissioners shall cause to be published in some newspaper in the county, if there is one, and if not, then by posting at the door of the courthouse and one or more conspicuous places in each of the commissioner districts, a notice specifying the election precincts or wards embraced in each of the commissioner districts so established. The notice must be posted or published for a period of not less than 20 days before each general election.

4. County commissioners must be elected at large by the qualified electors of the county [.] *, unless the electors:*

(a) At the time the districts were created; or

(b) By petition and election in the same manner as provided in subsection 1, after the districts were created,

determine that the commissioners must be elected by the qualified voters of their respective districts.

5. The commissioner districts, regardless of when created, may be abolished by petition and election in the same manner as provided for their creation in subsection 1.

6. Upon the abolition of commissioner districts the incumbent county commissioners are entitled to serve the remainder of the terms for which they were elected or appointed, and thereafter county commissioners must be elected at large from within the county.

Sec. 2. NRS 244.025 is hereby repealed.''.

Amend the title of the bill, first line, by deleting ''requiring'' and inserting: ''providing a procedure for''.

Amend the summary of the bill by deleting ''Requires''. and inserting ''Provides procedure for''.

Assemblyman Stewart moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 420.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 739.

Amend section 1, page 2, after line 13 by inserting:

"*4. For the purposes of this section "abuse" means physical or mental injury of a nonaccidental nature, sexual abuse, sexual exploitation or negligent treatment or maltreatment.*".

Assemblyman Collins moved the adoption of the amendment.

Remarks by Assemblyman Collins.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 445.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 688.

Amend the bill as a whole by renumbering section 1 as section 1.8 and adding new sections, designated sections 1, 1.2, 1.4 and 1.6, preceding section 1, to read as follows:

"Section 1. Chapter 639 of NRS is hereby amended by adding thereto the provisions set forth as sections 1.2 and 1.4 of this act.

Sec. 1.2. *"Institutional pharmacy" means a pharmacy or other storage place for controlled substances and dangerous drugs which is a part of or is operated in conjunction with a correctional facility, including a jail and detentional facility for juveniles.*

Sec. 1.4. *1. Except as otherwise provided in NRS 639.2327, an institutional pharmacy which is used mainly for storage and from which controlled substances and dangerous drugs and devices are administered must be supervised by a prescribing practitioner or a licensed pharmacy.*

2. The practitioner or a registered pharmacist need not be present at the times the institutional pharmacy is open, but is responsible for the security of the pharmacy and shall maintain the records required by the board. In any case, the name of the prescribing practitioner must be recorded when any controlled substance, dangerous drug or device is administered or ordered for stock.

Sec. 1.6. NRS 639.001 is hereby amended to read as follows:

639.001 As used in this chapter, the words and terms defined in NRS 639.002 to 639.016, inclusive, *and section 1.2 of this act,* have the meanings ascribed to them in those sections unless a different meaning clearly appears in the context.".

Amend the bill as a whole by renumbering section 2 as section 2.5 and adding a new section, designated section 2, preceding section 2, to read as follows:

"Sec. 2. NRS 639.012 is hereby amended to read as follows:

639.012 1. "Pharmacy" means every store or shop licensed by the board where drugs, controlled substances, poisons, medicines or chemicals are stored or possessed, or dispensed or sold at retail, or

displayed for sale at retail, or where prescriptions are compounded or dispensed.

2. "Pharmacy" includes [pharmacies] *:*

(a) Pharmacies owned or operated by the State of Nevada and political subdivisions and municipal corporations therein.

(b) Institutional pharmacies.".

Amend sec. 3, page 2, line 21, by deleting "hospital pharmacies." and inserting: "[hospital pharmacies.] *individual classes of institutional pharmacies and drugs stored in hospitals.*".

Amend sec. 4, page 2, line 42, after "*practitioner*" by inserting: ", *a technologist in radiology or nuclear medicine under the supervision of the prescribing practioner,*".

Amend the bill as a whole by adding a new section, designated section 4.5, following section 4, to read as follows:

"Sec. 4.5 NRS 639.1375 is hereby amended to read as follows:

639.1375 1. A registered nurse may [possess, administer and] dispense controlled substances, poisons, dangerous drugs and devices if he:

(a) Is authorized to do so by the state board of nursing in a certificate issued by that board; and

(b) Applies for and obtains a certificate of registration from the state board of pharmacy and pays the fee set by a regulation adopted by the board.

2. The state board of pharmacy shall consider each application from a registered nurse separately, and may:

(a) Issue a certificate of registration limiting:

(1) The authority of the registered nurse to [possess, administer or] dispense controlled substances, poisons, dangerous drugs and devices;

(2) The area in which the registered nurse may [perform the acts authorized by the certificate;] *dispense these things;*

(3) The kind and amount of controlled substances, poisons, dangerous drugs and devices which the certificate permits the registered nurse to [possess and use;] *dispense;* and

(4) The practice of the registered nurse which involves controlled substances, poisons, dangerous drugs and devices in any manner which the board finds necessary to protect the health, safety and welfare of the public;

(b) Issue a certificate of registration without any limitation not contained in the certificate issued by the state board of nursing; or

(c) Refuse to issue a certificate of registration, regardless of the provisions of the certificate issued by the state board of nursing.

3. If a certificate of registration issued pursuant to this section is suspended or revoked, the board may also suspend or revoke the registration of the physician for and with whom the registered nurse is in practice to dispense controlled substances.

4. The board shall adopt regulations setting forth the maximum amounts of any controlled substance, poison, dangerous drug and devices which a registered nurse who holds a certificate from the board may [possess,] *dispense,* the conditions under which they must be

stored, transported and safeguarded, and the records which each such nurse must keep. In adopting its regulations, the board shall consider:

(a) The areas in which a nurse who holds a certificate from the board can be expected to practice and the populations of those areas;

(b) The experience and training of the nurse;

(c) Distances between areas of practice and the nearest hospitals and physicians;

(d) Effects on the health, safety and welfare of the public; and

(e) Other factors which the board considers important to the regulation of the practice of nurses who hold certificates from the board.''.

Amend the bill as a whole by adding a new section, designated section 6.5, following section 6, to read as follows:

''Sec. 6.5. NRS 639.220 is hereby amended to read as follows:

639.220 1. Except as *otherwise* provided in subsection 2, *NRS 639.2324, 639.2327 and section 1.4 of this act, each pharmacy must be managed by* a registered pharmacist [, physically present therein and actively engaged in the operation thereof, shall be in charge of every pharmacy] *who is physically present* when it is open for business.

2. The requirement of subsection 1 [shall] *does* not prohibit the board from authorizing the absence of the registered pharmacist each day for a total period of not to exceed 2 hours for the purpose of taking meals if:

(a) [Such] *The* registered pharmacist is on call during [such] *his* absence;

(b) A sign, as prescribed by regulations of the board, is posted for public view in the pharmacy indicating the absence of the pharmacist and the hours of [such] *his* absence; and

(c) All drugs, poisons, chemical and restricted devices are kept safe in a manner prescribed by regulations of the board.

The authorization required from the board [shall] *must* be in writing and [shall] be retained in the pharmacy, available for inspection.

3. A person shall not act as a managing pharmacist for more than one licensed pharmacy. Each managing pharmacist shall be on duty in the pharmacy and active in the management of the pharmacy on a full-time basis.''.

Amend the bill as a whole by adding thereto a new section, designated section 10.5, following section 10, to read as follows:

''Sec. 10.5. NRS 639.2589 is hereby amended to read as follows:

639.2589 1. The form for any prescription which is issued or intended to be filled in this state must contain two lines for the signature of the prescriber. The line on the left must be printed above the words ''substitution permitted'', and the line on the right must be printed above the words ''dispense as written.''

2. Substitutions may be made in filling prescriptions contained in physician's orders in skilled nursing facilities and intermediate care facilities. Each page of the document which contains the physician's order must be printed with the words: ''The biological equivalent of drugs ordered may be dispensed unless initialed by the prescriber here'' and a box must be provided near that statement for the purpose of indicating that a substitution may not be made.

3. Substitutions may be made in filling prescriptions ordered on a patient's chart in a hospital if the hospital's medical staff has approved a formulary for specific generic substitutions.''.

Amend sec. 14, page 9, line 18, before ''(c)'' by inserting an open bracket.

Amend sec. 14, page 9, line 20, after ''substances.'' by inserting a closed bracket.

Amend sec. 14, page 9, by inserting between lines 29 and 30:

''(b) *A registered nurse licensed to practice professional nursing or a licensed practical nurse, in an institutional pharmacy, in mulitiple doses for administration in single doses to prisoners in that institution.*''.

Amend sec. 14, page 9, line 30, by deleting ''(b)'' and inserting ''*(c)*''.

Amend sec. 14, page 9, line 33, by deleting ''(c)'' and inserting ''[(c)] *(d)*''.

Amend sec. 14, page 9, line 34, by deleting ''(d)'' and inserting ''[(d)] *(e)*''.

Amend sec. 14, page 10, line 1, by deleting ''(e)'' and inserting ''[(e)] *(f)*''.

Amend sec. 14, page 10, line 2, by deleting ''(f)'' and inserting ''[(f)] *(g)*''.

Amend sec. 14, page 10, by deleting lines 3 through 7 and inserting:

''*3. A person designated by the head of a correctional institution which does not contain an institutional pharmacy, but only:*

(a) As prescribed and dispensed for an individual prisoner in that institution; and

(b) For issue to that prisoner in single doses.''.

Amend sec. 15, page 10, line 10, by deleting ''the'' and inserting ''[the] *a*''.

Amend sec. 15, page 10, by deleting line 11 and inserting: ''titioner [.] *or to an institutional pharmacy upon the written order of the prescribing practitioner in charge.*

2. *From an institutional pharmacy, in case of emergency, upon a written order signed by the pharmacist in charge and countersigned by the head of the institution.*''.

Amend sec. 15, page 10, line 12, by deleting ''2.'' and inserting ''*3.*''.

Amend sec. 15, page 10, line 14, by deleting ''3.'' and inserting ''[3.] *4.*''.

Amend sec. 15, page 10, line 17, by deleting ''4.'' and inserting ''[4.] *5.*''.

Amend sec. 15, page 10, line 18, by deleting ''5.'' and inserting ''[5.] *6.*''.

Amend sec. 16, page 10, line 24, after ''patient.'' by inserting: ''*The chart of a patient may be used to order multiple prescriptions for that patient.*''.

Amend sec. 18, page 11, line 7, after ''may be'' by inserting ''*possessed and*''.

Amend sec. 18, page 11, by inserting between lines 16 and 17:

"3. *A registered nurse licensed to practice professional nursing or a licensed practical nurse, in an institutional pharmacy, in multiple doses for administration in single doses to prisoners in that institution.*".

Amend sec. 18, page 11, line 17, by deleting "3." and inserting "*4.*".

Amend sec. 18, page 11, line 19, by deleting "4." and inserting "[4.] *5.*".

Amend sec. 18, page 11, line 22, by deleting "5." and inserting "[5.] *6.*".

Amend sec. 18, page 11, line 23, by deleting "6." and inserting "[6.] *7.*".

Amend sec. 18, page 11, line 34, by deleting "7." and inserting "[7.] *8.*".

Amend sec. 18, page 11, line 35, before "8." by inserting an open bracket.

Amend sec. 18, page 11, line 37, after "drugs." by inserting a closed bracket.

Amend sec. 18, page 11, by deleting lines 38 through 42 and inserting:

"9. *A person designated by the head of a correctional institution which does not contain an institutional pharmacy, but only:*

(a) As prescribed and dispensed for an individual prisoner in that institution; and

(b) For issue to that prisoner in single doses.".

Amend the bill as a whole by renumbering sections "18" (on page 12) through 21 as sections 20 through 23 and adding a new section, designated as section 19, following section 18, to read as follows:

"Sec. 19. NRS 454.215 is hereby amended to read as follows:

454.215 A dangerous drug may be dispensed by:

1. A registered pharmacist upon the legal prescription from a practitioner [.] *or to an institutional pharmacy upon the written order of the prescribing practitioner in charge.*

2. *From an institutional pharmacy, in case of emergency, upon a written order signed by the pharmacist in charge and countersigned by the head of the institution.*

3. A practitioner, or a physician's assistant if authorized by the board.

[3.] *4.* A registered nurse, when the nurse is engaged in the performance of any public health program approved by the board.

[4.] *5.* A medical intern in the course of his internship.

[5.] *6.* A registered nurse who holds a certificate from the state board of nursing and a certificate from the state board of pharmacy permitting him to dispense dangerous drugs.".

Amend sec. "18" (to be renumbered sec. 20 to remove duplication), page 12, line 4, after "patient." by inserting: "*The chart of a patient may be used to order multiple prescriptions for that patient.*".

Assemblyman Kerns moved the adoption of the amendment.

Remarks by Assemblyman Kerns.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 555.

Bill read second time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 734.

Amend section 1, page 1, line 4, by deleting the bracket.

Amend section 1, page 1, line 5, by deleting "4" and inserting "[4] 2".

Amend section 1, page 1, lines 6 and 7, by deleting: "] *serves at the pleasure of the governor.*".

Amend the bill as a whole by deleting section 2 through 3.

Amend the title of the bill, by deleting the first and second lines and inserting:

"An Act relating to industrial insurance; reducing the term of appeals officers; and provid-".

Amend the summary of the bill to read: "Reduces term for appeals officers who hear industrial insurance cases.".

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 117.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 751.

Amend sec. 2, page 2, after line 44 by inserting: "*For the purposes of this section, a periodic sound which is heard by both parties during the communication shall be deemed notice to both parties that the communication is being intercepted.*".

Amend sec. 2, page 3, by deleting lines 16 through 19 and inserting:

"*(f) The director.*

(g) Any other employee of the department whom the director may, by regulation, desig-".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that for the balance of the session, all Assembly bills and joint resolutions returned from reprint be placed on the General File immediately following the Assembly bills.

Motion carried.

By Assemblymen Stone, Thompson, Zimmer, Swain, Coffin, Getto, Humke, Nevin, Fay, Price and Joerg:

Assembly Concurrent Resolution No. 40—Directing the legislative commission to study the rules purporting to govern the internal management of the department of motor vehicles to determine whether any of the rules should be adopted as regulations.

Assemblyman Stone moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assemblyman Swain moved that Assembly Bill No. 93 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Swain.

Motion carried.

Assemblyman Dini moved that Senate Bill No. 177 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Dini.

Motion carried.

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

Assembly in recess at 11:13 a.m.

ASSEMBLY IN SESSION

At 11:14 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 388, 461, 492, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill No. 273, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 175, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 283, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 17, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 403.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Assembly Bill No. 403:

YEAS—42.
NAYS—None.

Assembly Bill No. 403 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 404.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Assembly Bill No. 404:

YEAS—42.
NAYS—None.

Assembly Bill No. 404 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 418.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Assembly Bill No. 418:

YEAS—42.
NAYS—None.

Assembly Bill No. 418 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 504.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 504:

YEAS—42.
NAYS—None.

Assembly Bill No. 504 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 551.
Bill read third time.
Remarks by Assemblyman Bilyeu.

Roll call on Assembly Bill No. 551:

YEAS—42.

NAYS—None.

Assembly Bill No. 551 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 562.

Bill read third time.

Remarks by Assemblyman Bilyeu.

Roll call on Assembly Bill No. 562:

YEAS—42.

NAYS—None.

Assembly Bill No. 562 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 564.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 564:

YEAS—41.

NAYS—None.

Not voting—Sedway.

Assembly Bill No. 564 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 23.

Resolution read third time.

Remarks by Assemblyman Fay.

Roll call on Assembly Joint Resolution No. 23:

YEAS—35.

NAYS—Berkley, Coffin, Humke, Joerg, Sader, Stewart, Swain—7.

Assembly Joint Resolution No. 23 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 2.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 2:

YEAS—42.

NAYS—None.

Assembly Bill No. 2 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 133.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Assembly Bill No. 133:

YEAS—42.
NAYS—None.

Assembly Bill No. 133 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 277.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Assembly Bill No. 277:

YEAS—42.
NAYS—None.

Assembly Bill No. 277 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 345.
Bill read third time.
Remarks by Assemblymen Getto, Stewart and Dini.
Assemblyman Stewart moved that Assembly Bill No. 345 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

Assembly Bill No. 364.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Assembly Bill No. 364:

YEAS—42.
NAYS—None.

Assembly Bill No. 364 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 371 be taken from its position on the General File and placed on the General File immediately following Assembly Bill No. 543.
Remarks by Assemblyman May.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 401.
Bill read third time.
Remarks by Assemblyman May.

Roll call on Assembly Bill No. 401:

YEAS—42.
NAYS—None.

Assembly Bill No. 401 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 441.

Bill read third time.

Remarks by Assemblyman Francis.

Roll call on Assembly Bill No. 441:

YEAS—42.
NAYS—None.

Assembly Bill No. 441 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 458.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 458:

YEAS—40.
NAYS—Getto, Stewart—2.

Assembly Bill No. 458 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 466.

Bill read third time.

Remarks by Assemblymen Francis, Thomas, Price and Getto.

Roll call on Assembly Bill No. 466:

YEAS—36.
NAYS—Bilyeu, Ham, Joerg, Kerns, Marvel—5.
Not voting—Bremner.

Assembly Bill No. 466 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 488.

Bill read third time.

Remarks by Assemblymen Thomas, Coffin, Fay, Malone, Swain and Collins.

Assemblyman Jeffrey moved that Assembly Bill No. 488 be taken from the General File and placed on the Chief Clerk's desk.

Assemblymen Malone, Brady and Bilyeu requested a roll call on Assemblyman Jeffrey's motion.

Roll call on Assemblyman Jeffrey's motion:

YEAS—17.

NAYS—Banner, Bergevin, Berkley, Bilyeu, Bourne, Brady, Coffin, Collins, Dini, DuBois, Francis, Ham, Humke, Joerg, Kerns, Malone, Marvel, May, Nevin, Nicholas, Price, Sader, Stone, Swain, Zimmer—25.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

Remarks by Assemblymen Dini and Swain.

Roll call on Assembly Bill 488:

YEAS—20.

NAYS—Beyer, Brady, Bremner, Chaney, Coffin, Collins, Dini, DuBois, Fay, Francis, Getto, Ham, Malone, Marvel, Nicholas, Price, Sedway, Stone, Swain, Thompson, Zimmer, Mr. Speaker—22.

Assembly Bill No. 488 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 505.

Bill read third time.

Remarks by Assemblyman Coffin.

Roll call on Assembly Bill No. 505:

YEAS—42.

NAYS—None.

Assembly Bill No. 505 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 510.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 510:

YEAS—42.

NAYS—None.

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

Bill ordered transmitted to the Senate.

Assembly Bill No. 512.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 512:

YEAS—42.

NAYS—None.

Assembly Bill No. 512 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 523.

Bill read third time.

Remarks by Assemblyman Coffin.

Roll call on Assembly Bill No. 523:

YEAS—42.

NAYS—None.

Assembly Bill No. 523 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 525.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 525:

YEAS—42.

NAYS—None.

Assembly Bill No. 525 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 527.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 527:

YEAS—42.

NAYS—None.

Assembly Bill No. 527 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 543.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 543:

YEAS—42.

NAYS—None.

Assembly Bill No. 543 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 511, 531, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 303, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Joint Resolution No. 19, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

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

Assembly in recess at 12:07 p.m.

ASSEMBLY IN SESSION

At 12:22 p.m.
Mr. Speaker presiding.
Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 4, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 383, 391.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 325, 341, 346, 350.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 27, upon which action of passage was rescinded for the purpose of effecting a technical amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 61, which was returned from the Governor in accordance with the provisions of Senate Concurrent Resolution No. 30.

JANICE L. THOMAS
Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Marvel, Getto and Bergevin:

Assembly Bill No. 608—An Act relating to the alfalfa seed research and promotion fund; allocating the interest earned on the fund to that fund; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 609—An Act relating to public sewers; establishing uniform requirements for connecting with those sewers; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 550 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 371.

Motion carried.

Assemblyman Schofield moved that Assembly Bill No. 449 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 550.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 371.

Bill read third time.

Remarks by Assemblymen May and Kovacs.

Assemblyman Kovacs moved that Assembly Bill No. 371 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Kovacs.

Motion lost.

Roll call on Assembly Bill No. 371:

YEAS—40.

NAYS—Kovacs, Thomas—2.

Assembly Bill No. 371 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 550.

Bill read third time.

Remarks by Assemblymen Dini and Redelsperger.

Roll call on Assembly Bill No. 550:

YEAS—40.

NAYS—Stone, Thomas—2.

Assembly Bill No. 550 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 449.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 772.

Amend sec. 3, page 4, line 10, by deleting "district," and inserting: "district and any redevelopment agency,".

Amend sec. 5, page 5, line 20, by deleting "district," and inserting: "district or a redevelopment agency,".

Amend sec. 5, page 7, line 10, by inserting after the period: "*Each local government shall, on or before May 1 or the date of adoption of its final budget, whichever is earlier, publish in a newspaper of general circulation in its territory a notice setting forth:*

(a) The rate of property tax included in its final or default budget; and

(b) The right of the registered voters to limit the rate by petition pursuant to this subsection.''.

Amend sec. 7, page 8, line 22, after ''*valorem*'' by inserting: '', *except any levied for debt service,*''.

Amend sec. 9, page 9, line 30, by deleting ''permit or increase'' and inserting ''permit , [or increase''.

Amend sec. 9, page 9, line 31, by inserting closed bracket after ''charge,''.

Amend sec. 9, page 9, line 35, by placing brackets around ''service charges or''.

Amend sec. 9, page 10, line 44 by deleting ''[5.] *4.* A'' and inserting ''[5. A''.

Amend sec. 9, page 11, line 7, by deleting ''[6.] *5.*'' and inserting ''6.''.

Amend sec. 9, page 11, by deleting lines 12 through 14 and inserting: ''interim legislative committee on local governmental finance. A local government must submit any proposal to impose a new service charge to that committee''.

Amend sec. 9, page 11, line 16, by deleting ''[7.] *6.*'' and inserting ''7.] *4.*''.

Amend sec. 9, page 11, line 34, by deleting ''*7.*'' and inserting ''*5.*''.

Amend the bill as a whole by adding a new section, designated as section 9.5, following section 9, to read as follows:

''Sec. 9.5. Chapter 354 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. A local government may increase any service charge which was in effect on July 1, 1981, or whose imposition was approved after that date pursuant to this section, to the extent:

(a) Necessary to comply with any covenant relating to securities to whose repayment revenue from the service charge is pledged; or

(b) Reasonably necessary to meet the actual expense of providing the service, including the upkeep of any property so used.

2. A local government must submit any other proposal to increase a service charge to the executive director of the department of taxation for approval, and the local government or any person who may be required to pay the charge may, within 30 days after the executive director makes his decision, appeal from his decision to the Nevada tax commission. A local government must submit any proposal to impose a new service charge to the tax commission for its approval.''.

Amend sec. 14, page 13, line 22, by deleting ''$8,175,227'' and inserting ''$15,337,898''.

Amend sec. 14, page 13, line 33, by inserting after the period: ''For the fiscal years beginning on and after July 1, 1984, the amount for Douglas County is $230,000. For the fiscal year beginning on July 1, 1983, the amount for Clark County is $10,256,063. For the fiscal year beginning July 1, 1984, the amount for Clark County is $15,337,898

minus the difference, if any, between $2,080,836 and the amount actually spent during the fiscal year beginning on July 1, 1984, for the increase in the cost of operating its jail which results from the decree of the United States District Court.''

Amend the bill as a whole by renumbering section 15 as section 16 and adding a new section designated as section 15, following section 14, to read as follows:

''Sec. 15. With respect to its budget for fiscal year 1983-84, each local government shall publish the notice required by subsection 4 of NRS 354.5982, as amended, on or before the date of adoption of its final budget.''.

Amend sec. 15, page 13, line 34, by deleting ''section 13'' and inserting: ''sections 13 and 15''.

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Assemblyman Bergevin moved that Assembly Bill No. 449 be re-referred to the Committee on Taxation.

Remarks by Assemblyman Bergevin.

Motion carried.

Bill ordered reprinted and re-engrossed.

Senate Bill No. 8.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 8:

YEAS—42.

NAYS—None.

Senate Bill No. 8 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 93, 104, 232 and 280 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:41 p.m.

ASSEMBLY IN SESSION

At 12:43 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Thompson, Banner, Jeffrey, Berkley, Sader, Vergiels, Schofield, May and Dini:

Assembly Concurrent Resolution No. 41—Directing the legislative commission to study the laws relating to crimes against the elderly.

Assemblyman Thompson moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assemblyman May moved that the vote whereby Senate Bill No. 27 was passed be rescinded.

Remarks by Assemblyman May.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 148.

The following Senate amendment was read:

Amendment No. 639.

Amend the bill as a whole by renumbering sections 1 and 2 as sections 2 and 3 and adding a new section designated section 1, preceding section 1, to read as follows:

"Section 1. NRS 205.220 is hereby amended to read as follows:

205.220 [Every] *Except as otherwise provided in NRS 205.225, every* person who feloniously steals, takes and carries away, leads or drives away the personal goods or property of another of the value of $100 or more, or the motor vehicle of another regardless of its value, is guilty of grand larceny, and shall be punished by imprisonment in the state prison for [any term] not less than 1 year nor more than 10 years [, and may be further punished] *and* by a fine of not more than $10,000.".

Amend section 1, page 2, by deleting lines 10 through 18 and inserting: "may be further punished by a fine of not more than $10,000.] *and by a fine of not less than $1,000 for each animal which was involved.*

2. The following are subject to forfeiture:

(a) Any material, product or equipment, including any vehicle, which is used in violation of subsection 1.

(b) All proceeds from any sale made in violation of subsection 1.

3. The court may order a person convicted pursuant to subsection 1 to make restitution to the victim of his crime for the value of each animal which was involved.".

Amend the title of the bill to read as follows:

"An Act relating to grand larceny of livestock; providing a minimum fine; providing for the forfeiture of certain property; authorizing restitution; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Changes penalty for grand larceny of livestock.".

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 148.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 385.

The following Senate amendment was read:

Amendment No. 592.

Amend section 1, page 2, line 33, by deleting the period and inserting: "*for the support of higher education.*".

Amend the bill as a whole by adding new sections designated sections 2 and 3, following section 1, to read as follows:

"Sec. 2. NRS 463.385 is hereby amended to read as follows:

463.385 1. In addition to any other license fees and taxes imposed by this chapter, there is hereby imposed upon each slot machine operated in this state an annual tax of $250. If a slot machine is replaced by another, the replacement is not considered a different slot machine for the purpose of imposing this tax.

2. The commission shall:

(a) Collect the tax annually on or before June 20, as a condition precedent to the issuance of a state gaming license to operate any slot machine for the ensuing fiscal year beginning July 1, from a licensee whose operation is continuing.

(b) Collect the tax in advance from a licensee who begins operation or puts additional slot machines into play during the fiscal year, prorated monthly after July 31.

(c) Include the proceeds of the tax in its reports of state gaming taxes collected.

3. The commission shall pay over the tax as collected to the state treasurer to be deposited to the credit of the state distributive school fund, the capital construction fund for higher education and the special capital construction fund for higher education, hereby created in the state treasury, in the amounts and to be expended only for the purposes specified in this section.

4. During each fiscal year the state treasurer shall deposit the tax paid over to him by the commission as follows:

(a) The first $5,000,000 of the tax in the capital construction fund for higher education;

(b) Twenty percent of the tax in the special capital construction fund for higher education; and

(c) The remainder of the tax in the state distributive school fund.

5. [There is hereby appropriated from the balance in the special capital construction fund for higher education on July 31 of each year the amount necessary to pay the principal and interest due in that fiscal year on the bonds issued pursuant to section 5 of chapter 679, Statutes of Nevada 1979. If in any year the balance in that fund is not sufficient for this purpose, the remainder necessary is hereby appropriated on July 31 from the capital construction fund for higher education. The balance remaining unappropriated in the capital construction fund for

higher education on August 1 of each year and all amounts received thereafter during the fiscal year must be transferred to the state general fund for the support of higher education.] *When specific projects are authorized by the legislature, money in the capital construction fund for higher education and the special capital construction fund for higher education must be transferred by the state controller and the state treasurer to the state public works board for the construction of capital improvement projects for the University of Nevada System, including but not limited to capital improvement projects for the community colleges of the University of Nevada System. As used in this subsection, "construction" includes but is not limited to planning, design, acquiring and developing a site, construction, reconstruction, furnishing, equipping, replacing, repairing, rehabilitating, expanding and remodeling. Any money remaining in either fund at the end of a fiscal year does not revert to the general fund in the state treasury but remains in those funds for authorized expenditure.*

6. The money deposited in the state distributive school fund under this section must be apportioned as provided in NRS 387.030 among the several school districts of the state at the times and in the manner provided by law.

7. The board of regents of the University of Nevada may use any [unappropriated] money in the *capital construction fund for higher education and the* special capital construction fund for higher education for the payment of interest and amortization of principal on bonds and other securities, whether issued before, on or after July 1, 1979, to defray in whole or in part the costs of any capital project authorized by the legislature.

Sec. 3. Section 2 of this act shall become effective on July 1, 1985.".

Assemblyman Bremner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 385.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 146.

The following Senate amendment was read:

Amendment No. 566.

Amend the bill as a whole, by deleting section 1 and renumbering sections 2 and 3 as sections 1 and 2.

Amend the title of the bill to read as follows:

"An Act relating to the financing of school construction; providing for the reversion of money appropriated to provide state loans therefor to the state general fund; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Provides for reversion of money appropriated for state loans for school construction.".

Assemblyman Bremner moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 146.

Motion carried.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 61 was passed be rescinded.

Remarks by Assemblyman Jeffrey.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Schofield, Vergiels, Jeffrey, Sedway, DuBois, Coffin, Zimmer, Stewart, May and Chaney:

Assembly Bill No. 610—An Act relating to the University of Nevada at Las Vegas; permitting the issuance of revenue bonds for housing on the campus at Las Vegas; authorizing the review of any construction by the public works board; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 611—An Act relating to motor vehicles; authorizing persons who transport handicapped persons to obtain special parking permits; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 612—An Act relating to Washoe County; requiring negotiations between the local governments and the ditch companies concerning maintenance of ditches; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 613—An Act relating to public administrators; providing payment for longevity; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 614—An Act relating to water meters; requiring that any local ordinance prohibiting water meters be adopted before July 1, 1984; requiring all public utilities which supply water to apply to the public service commission of Nevada to install such meters; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 615—An Act relating to health insurance; requiring optional coverage for care in a hospice; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 325.

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

Motion carried.

Senate Bill No. 341.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 346.

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

Motion carried.

Senate Bill No. 350.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 383.

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

Motion carried.

Senate Bill No. 391.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 17.

Bill read second time.

The following amendment was proposed by Assemblyman Stone:

Amendment No. 414.

Amend the bill as a whole by renumbering section 1 as section 4 and inserting new sections, designated sections 1 through 3, preceding section 1, to read respectively as follows:

"Section 1. NRS 482.272 is hereby amended to read as follows:

482.272 1. Each license plate for a motorcycle [shall] *must* contain five numbers and no letters. Only one plate [shall] *may* be issued for a motorcycle.

2. [Motorcycle license plates shall] *License plates for motorcycles must* be issued in consecutive numerical order for statewide distribution.

3. [In the event] *If* the department exhausts the [license plate] code of subsection 1, the department may substitute letters in combination with numbers to expand the code for [motorcycle] license plates [.] *for motorcycles.*

4. If a motorcycle is to be operated by a licensed operator who is less than 21 years of age, the registered owner of the motorcycle shall obtain from the department a sticker for the license plate of the motorcycle indicating that the motorcycle may be operated by a licensed operator who is less than 21 years of age.

Sec. 2. NRS 483.470 is hereby amended to read as follows:

483.470 1. The department may suspend the license of a driver without preliminary hearing upon a showing by its records or other sufficient evidence that the licensee:

(a) Has committed an offense for which mandatory revocation of license is required upon conviction;

(b) Has been involved as a driver in any accident resulting in the death or personal injury of another or serious property damage;

(c) Is an habitually reckless or negligent driver of a motor vehicle;

(d) Is an habitual violator of the traffic laws;

(e) Is physically or mentally incompetent to drive a motor vehicle;

(f) Has permitted an unlawful or fraudulent use of his license;

(g) Has committed an offense in another state which if committed in this state would be grounds for suspension or revocation; or

(h) Has failed to comply with the conditions of issuance of a restricted license.

2. As used in this section, ''traffic violation'' means conviction of a moving traffic violation in any municipal court, justice's court or district court in this state. The term includes a finding by a juvenile court that a child has violated a traffic law or ordinance other than one governing standing or parking.

3. The department shall establish a uniform system of demerit points for various traffic violations occurring within this state affecting any holder of a driver's license issued by the department.

4. The system must be a running system of demerits covering a period of 12 months next preceding any date on which a licensee may be called before the department to show cause as to why his driver's license should not be suspended.

5. The system must be uniform in its operation and the department shall set up a system of demerits for each traffic violation, except as provided in subsection 6, depending upon the gravity of the violation, on a scale of one demerit point for a minor violation of any traffic law to eight demerit points for an extremely serious violation of the law governing traffic violations. If a conviction of two or more traffic violations committed on a single occasion is obtained, points must be assessed for one offense, and if the point values differ, points must be assessed for the offense having the greater point value. Details of the violation must be submitted to the department by the court where the conviction is obtained. The department may provide for a graduated

system of demerits within each category of violations according to the extent to which the traffic law was violated.

6. A violation of the national maximum speed limit specified in 23 U.S.C. § 154 but not exceeding 70 miles per hour must not be charged against a driver in the system of demerits established under this section if the violation does not violate any other speed limit imposed by or pursuant to chapter 484 of NRS.

7. When any driver has accumulated three or more demerit points, but less than 12, the department shall notify him of this fact. [If,] *Except as specially provided in section 3 of this act, if,* after the department mails this notice, the driver presents proof to the department that he has successfully completed a traffic safety school course, approved by the department, for the number of hours prescribed by the course, with the approval of the department as constituting a course of instruction, the department shall cancel three demerit points from his driving record. If the driver accumulates 12 or more demerit points before completing the traffic safety school, he will not be entitled to have demerit points canceled upon completion of the course, but must have his license suspended. A person may be allowed to attend only once in 12 months for the purpose of reducing his demerit points. The three demerit points may only be canceled from a driver's record during the 12-month period immediately following the driver's successful completion of the traffic safety school.

8. Any reduction of three demerit points applies only to the demerit record of the driver and does not affect his driving record with the department or his insurance record.

9. When any licensee accumulates 12 or more demerit points the department shall suspend his license until the total of his demerits has dropped below 12 demerits in the next preceding 12 months.

10. The director of the department may set up a scale establishing the demerit value for each traffic violation.

11. Upon suspending the license of any person as authorized in this section [,] *and section 3 of this act,* the department shall immediately notify him in writing, and upon his request shall afford him an opportunity for a hearing as early as practical within 20 days after receipt of the request in the county wherein he resides unless he and the department agree that the hearing may be held in some other county. The administrator, or his authorized agent, may issue subpenas for the attendance of witnesses and the production of relevant books and papers, and may require a reexamination of the licensee in connection with the hearing. Upon the hearing the department shall either rescind its order of suspension or, for good cause, extend the suspension of the license or revoke it.

Sec. 3. Chapter 486 of NRS is hereby amended by adding thereto a new section which shall read as follows:

Any person who holds a license to operate a motorcycle and:

1. Is convicted of a moving traffic violation involving his operation of a motorcycle for which three or more demerits are assessed by the department; or

2. Accumulates in a period of 12 months more than three such demerits involving his operation of a motorcycle,
shall attend a 21-hour course of instruction given by the Motorcycle Safety Foundation which has been approved by the department. If he does not successfully complete such a course within 60 days after receiving notice of the assessment or accumulation from the department, the department shall suspend his license to operate a motorcycle until he has successfully completed the course.''.

Amend section 1, page 1, line 6, after ''as'' by inserting ''*otherwise*''.

Amend section 1, page 2, by deleting lines 4 and 5 and inserting:

''*6. A driver of a motorcycle who:*

(a) Is 21 years of age or older;

(b) Is licensed to drive a motorcyle; and

(c) Has had at least one year of licensed experience operating a motorcycle,
is not required to wear protective headgear.

7. If:

(a) The passenger on a motorcycle is 21 years of age or older; and

(b) The driver of the motorcycle is not required to wear protective headgear,
the passenger is not required to wear protective headgear.''.

Amend the title of the bill by deleting the second line and inserting ''; and providing other''.

Amend the summary of the bill by deleting the first line and inserting ''Limits requirement for''.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

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

Assembly in recess at 12:55 p.m.

ASSEMBLY IN SESSION

At 12:56 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 27.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 27:

YEAS—42.

NAYS—None.

Senate Bill No. 27 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 61.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 61:

YEAS—42.

NAYS—None.

Senate Bill No. 61 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Assembly Bill No. 175.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 756.

Amend the bill as a whole, by deleting section 2.

Amend the title of the bill, by deleting line 2 and inserting: "extending the existence of the commission;".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Asemblyman Jeffrey moved that Assembly Bill No. 388 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 461.

Bill read second time.

The following amendment was proposed by Assemblyman Bourne:

Amendment No. 736.

Amend sec. 2, page 1, line 18, by deleting: "*another agency of this*".

Amend sec. 2, page 2, by deleting line 1.

Amend sec. 3, page 2, line 4, by deleting: "*or a political subdivision*" and inserting: "*of the Federal Government.*".

Amend sec. 3, page 2, line 5, by deleting ", *license*".

Amend sec. 4, page 2, line 7, by deleting "*1.*".

Amend sec. 4, page 2, lines 8 and 9, by deleting: "*another agency or political subdivision*" and inserting: "*an agency of the Federal Government*".

Amend sec. 4, page 2, by deleting lines 13 through 16.

Amend sec. 5, page 2, line 17, by deleting "1.".

Amend sec. 5, page 2, line 19, by deleting "*(a)*" and inserting "*1.*".

Amend sec. 5, page 2, line 20, by deleting "*(b)*" and inserting "*2.*".

Amend sec. 5, page 2, by deleting lines 25 through 34.

Amend the title of the bill, second and third lines, by deleting: "another state agency or political subdivision;" and inserting "the Federal Government;".

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblyman Bourne.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 492.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 741.

Amend sec. 2, page 1, line 15, before "in" by inserting an open bracket.

Amend sec. 2, page 2, by deleting lines 1 through 3 and inserting: "curriculum of physical therapy approved by the board; and] *or college accredited by the American Physical Therapy Association with at least a bachelor's degree in physical therapy;*".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 273.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 737.

Amend sec. 2, page 1, line 3, by deleting: "*shall appoint an advocate*" and inserting "*may appoint advocates*".

Amend sec. 2, page 1, line 4, by deleting "*is*" and inserting "*are*".

Amend sec. 2, page 1, line 5, by deleting "*The advocate shall:*" and inserting: "*Such an advocate shall, under direction of the administrator:*".

Amend sec. 2, page 1, line 9, after "*which*" by inserting: "*relates to such care and*".

Amend sec. 3, page 2, line 9, by deleting: "*upon his own initiative or*".

Amend sec. 4, page 2, by deleting lines 22 and 23 and inserting: "*maintained by the facility. The medical and personal financial*".

Amend sec. 4, page 2, line 26, by deleting: "*Consent to inspect such*".

Amend sec. 4, page 2, by deleting line 27.

Amend sec. 4, page 2, line 30, by deleting: "*and of any business entity,*" and inserting ",".

Amend sec. 4, page 2, lines 31 and 32 by deleting: "*which renders services or sells goods*" and inserting "*who render services*".

Amend sec. 4, page 2, by deleting lines 38 through 40 and inserting "*investigation.*".

Amend sec. 5, page 2, line 41, by deleting the comma and inserting: "*and under the administrator's direction,*"

Amend sec. 5, page 3, by deleting lines 3 through 6.

Amend sec. 5, page 3, line 7, by deleting "*3.*" and inserting "*2.*".

Amend sec. 6, page 3, by deleting lines 9 through 20 and inserting:

"Sec. 6. *The division may adopt regulations regarding the requirement, contents, posting and distribution of a notice which describes the purpose of such an advocate and sets forth the procedure for making a complaint to the advocate.*".

Amend sec. 7, page 3, line 25, by deleting "*the*" and inserting "*an*".

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 303.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 775.

Amend sec. 2, page 1, line 5, by deleting "*683A or*".

Amend sec. 3, page 1, by deleting lines 11 and 12.

Amend sec. 3, page 1, line 13, by deleting "*3.*" and inserting "*2.*".

Amend sec. 3, page 2, line 5, by deleting "*4.*" and inserting "*3.*".

Amend sec. 3, page 2, by deleting lines 8 and 9.

Amend sec. 4, page 2, by deleting lines 10 through 17 and inserting:

"Sec. 4. *1. The commissioner, through his investigators, shall investigate fraudulent claims for benefits under an insurance policy.*

2. The commissioner and his chief deputy are peace officers for the limited purposes of obtaining and exchanging information on applicants and licensees under Title 57 of NRS.".

Amend sec. 6, page 2, line 35, by deleting "*may*" and inserting "*shall*".

Amend sec. 6, pages 2 and 3, by deleting lines 38 through 43 on page 2 and lines 1 through 6 on page 3 and inserting:

"*3. All of the costs of the program established pursuant to section*

2 of this act must be paid by the insurers authorized to transact insurance in this state. The commissioner shall annually determine the total cost and equally divide that amount among the insurers. The annual amount so assessed must not exceed $500 per authorized insurer. The commissioner may adopt regulations regarding the calculation and collection of the assessment.''.

Amend sec. 7, page 3, line 11, by deleting: ''*in good faith, furnishes*'' and inserting ''*without malice, discloses*''.

Amend sec. 7, page 3, by deleting lines 12 through 15 and inserting ''*or suspicious fire.*''.

Amend sec. 8, page 3, line 31, by deleting ''*15*'' and inserting ''*30*''.

Amend sec. 8, page 3, line 36, after ''*attorney*'' by inserting ''*is unable,*''.

Amend sec. 11, page 4, line 40, by deleting: ''*person in a local law enforcement*''.

Amend sec. 12, page 5, by deleting lines 11 through 15 and inserting: ''*686A of NRS have been violated he shall report his findings to the district attorney of the county where the violation occurred.*''.

Amend sec. 14, page 5, line 29, by deleting: ''*a fire which caused*''.

Amend sec. 14, page 5, by deleting lines 31 through 33 and inserting: ''*ral occurrence, the insurer shall notify the commissioner in writing of the insurer's reasons for so believing.*''.

Amend sec. 14, page 5, by deleting line 35 and inserting: ''*sioner with any infor-*''.

Amend sec. 14, page 5, between lines 36 and 37 by inserting:

''*3. If the loss referred to in subsection 1 is believed to be caused by fire, the insurer shall also so notify an investigative or law enforcement agency.*''.

Amend sec. 15, page 5, lines 39 and 40, by deleting ''*: (a) Is*'' and inserting ''*is*''.

Amend sec. 15, page 5, line 42, by deleting ''*; and*'' and inserting ''.''.

Amend sec. 15, page 5, by deleting lines 43 through 45.

Amend sec. 20, page 10, line 13, by deleting: ''1984, shall pay $125'' and inserting: ''1983, shall pay $200''.

Amend sec. 20, page 10, by deleting line 14 and inserting: ''by September 1, 1983,''.

Amend sec. 20, page 10, line 15, by deleting ''in this state,''.

Amend the bill as a whole by adding a new section, designated section 21, following section 20, to read as follows:

''Sec. 21. 1. For the fiscal years 1983-84 and 1984-85, the attorney general shall designate one of his deputies to act as counsel for the program established pursuant to section 2 of this act. He shall also employ, with the approval of the commissioner of insurance, such investigators as he deems necessary for the program.

2. The persons so employed by the attorney general must receive their compensation from the assessments made pursuant to sections 6 and 20 of this act.''.

Amend the title of the bill to read as follows:

"An Act relating to insurance; authorizing the commissioner of insurance to investigate fraud relating to insurance; providing for assessments of insurers to support the commissioner's investigations; providing for an exchange of information on fraud; designating the commissioner and his chief deputy as peace officers; and providing other matters properly relating thereto.".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 511.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 758.

Amend sec. 3, page 2, by deleting lines 7 and 8 and inserting: "*receive on behalf of the county reimbursement for the actual costs of conducting the district's election. All money so received must be deposited to the*".

Amend the bill as a whole by renumbering section 4 as section 5 and adding a new section, designated section 4, following section 3, to read as follows:

"Sec. 4. NRS 474.130 is hereby amended to read as follows:

474.130 1. The directors elected at the election organizing the district shall immediately enter upon their duties. At the first meeting, the first board of directors shall so classify themselves by lot that one of their number shall go out of office on the 1st Monday in January following the next succeeding biennial election, and two of their number on the 1st Monday in January following the second succeeding biennial election.

2. Thereafter, directors shall hold their offices for terms of 4 years from and after the 1st Monday in January following their election and until their successors are elected and qualified.

3. The office of director is a nonpartisan office.".

Amend sec. 4, page 2, by deleting lines 16 through 24 and inserting:

"2. [Not later than 60 days before any such election, nominations may be filed with the secretary of the board, who shall not later than 30 days before any such election certify such nominations to the county clerk. If a nominee does not withdraw his name before the secretary certifies the nominations to the county clerk, his name shall be placed on the ballot. The secretary of the district shall give notice of election by publication, and shall arrange such other details in connection therewith as the board may direct.] *The general election laws of this state govern the nomination and election of the members of the board of directors. The election*".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 531.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 768.

Amend sec. 2.110, page 7, line 39, by deleting "1 week" and inserting "10 days".

Amend sec. 3.140, page 21, by deleting lines 7 and 8 and inserting: "been approved by the city council. The city treasurer shall prepare all warrants, to be drawn".

Amend sec. 3.220, page 22, line 17, by deleting: "the city council or".

Amend sec. 4.040, page 25, by deleting lines 20 through 27 and inserting:

"Sec. 4.040. (Deleted by amendment.)".

Amend sec. 8.150, page 36, line 30, by deleting "and 3," and inserting: ", 3 and 4".

Amend sec. 8.150, page 37, between lines 6 and 7 by inserting:

"*4. Such a tax increment area may not include any property which is situated:*

(a) In ward 3 as its boundaries exist on July 1, 1983; and

(b) West of Interstate Highway 15.".

Amend the bill as a whole by adding a new section, designated section 3, following section 2, to read as follows:

"Sec. 3. This act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 291, 421, 425; Senate Bill No. 249; Assembly Concurrent Resolutions Nos. 34, 36; Senate Concurrent Resolution No. 25.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Roland J. DiSanza.

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Jean Sola.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Florence McClure.

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

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Herb Winchester, Ms. Grace Winchester; Messrs. Robert Stewart, Mike Santos, David T. Amster, Ms. Carolyn Alloway, Cheryl Stoddard, Gale Stewart, Margaret Graham Giomi, Ruth Braswell and fifth grade students from Fritsch Elementary School, Carson City, Nevada: Jason Boone, Andy Duarte, Ricky Jones, Joseph Kingsland, Paul Kinne, Donald Lamers, Brian Mendoza, Don Morrison, Kasey Nichols, Tom Nicosia, Tim Pershing, Brandon Rothwell, Jason Scott, Bobby Spataro, James Stewart, Dick Stoddard, Mike Burcham, Nicole Aguilera, Julie Alloway, Julie Amster, Nicole Ballardini, Marla Blevins, Claudia Castillo, Jeannette Chaney, Paula Clifton, Jennie Culbert, Jennifer Field, Kathleen Graham, Barbie Sullivan, Tammy Johnson, Vannessa Moore and Shawn Gioni.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, May 5, 1983, at 10:45 a.m.

Motion carried.

Assembly adjourned at 1:10 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND NINTH DAY

CARSON CITY (Thursday), May 5, 1983

Assembly called to order at 10:50 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

A National Day of Humility and Prayer by Presidential Declaration

God, Father of us all, on this national day of humility and prayer, we bow before you in awe and reverence. Your glory surely shines brightly throughout the world on this day, as people everywhere in this land unite in heart and mind to ask for your special blessing upon this our beloved nation. Guide us by your providence and enable us to be a blessing to other nations of the world, even as we have been blessed. Give all in authority—our president, our governor, those in positions of authority in this assembly—the wisdom and strength to know your will and to do it.

Lead them and us in paths of righteousness, both for your name's sake and for the people's sake.

Lord, in your mercy, hear this our prayer, we humbly ask.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 145, 163, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 529, 554, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 366, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Joint Resolution No. 16, has had the same under consideration, and begs leave to report the same back with the recommendation: Do Pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 299, 334, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 4, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 59, 149, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 28.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 28, 183, 251.

JANICE L. THOMAS
Secretary of the Senate

SECOND READING AND AMENDMENT

Senate Bill No. 210.
Bill read second time and ordered to third reading.

Senate Bill No. 238.
Bill read second time and ordered to third reading.

Senate Bill No. 268.
Bill read second time and ordered to third reading.

Senate Bill No. 304.
Bill read second time and ordered to third reading.

Senate Bill No. 309.
Bill read second time and ordered to third reading.

Senate Joint Resolution No. 19.
Resolution read second time and ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 5, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 387, 400.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 22.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 22.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assemblyman Kovacs moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:02 a.m.

ASSEMBLY IN SESSION

At 11:06 a.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Senate Bill No. 110, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 300, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Beyer:

Assembly Bill No. 616—An Act relating to descriptions of land; revising the systems of coordinates used in describing land; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Sedway, Nevin, Thompson, Bourne, Banner, Schofield, Perry, Collins, Price, Swain, Craddock, Kovacs, Fay, Vergiels and Berkley:

Assembly Bill No. 617—An Act relating to public utilities; enabling the public service commission of Nevada to require separately funded subsidiaries for certain utilities; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 387.

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

Motion carried.

Senate Bill No. 400.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bourne moved that Assembly Bill No. 350 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 555.

Motion carried.

Assemblyman Dini moved that Assembly Bill No. 531 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Dini.

Motion carried.

Assemblyman Bogaert moved that Assembly Joint Resolutions Nos. 27 and 4 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 350.

Motion carried.

Assemblyman Swain moved that Assembly Bill No. 93 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Joint Resolution No. 4.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 361 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Bill No. 350.

Motion carried.

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

Assembly in recess at 11:14 a.m.

ASSEMBLY IN SESSION

At 11:27 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 611, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 176, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 240, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 149.

The following Senate amendment was read:

Amendment No. 662.

Amend section 1, page 2, line 31, by deleting "*is subject*" and inserting "*is:*

(a) Subject".

Amend section 1, page 2, by inserting after line 34:

"*(b) Ineligible for a permit to move any livestock without brand inspection until the department is satisfied that any future movement will comply with all applicable statutes and regulations.*".

Amend the bill as a whole by renumbering section 2 as section 3 and adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 571.210 is hereby amended to read as follows:

571.210 1. Livestock not under special quarantine by the State of Nevada, the Federal Government, or the state, territory or district of origin may enter the State of Nevada [in accordance with the regulations of the Federal Government in effect at the time, and] in compliance with [rules and] regulations [promulgated] *adopted* by the state quarantine officer.

2. Notice [of] *that* livestock *is* in transit [shall not be required unless such] *is not required unless the* livestock remains in the state, or is to be unloaded to feed and rest for a period longer than 48 hours.

3. No person, his agents or employees may bring livestock into this state unless he has obtained a health certificate showing that the livestock is free from contagious, infectious or parasitic diseases or exposure thereto. The state quarantine officer shall adopt regulations concerning the form of the certificate.

4. No person may:

(a) Alter a health certificate; or

(b) Divert livestock from the destination described on the health certificate without notifying the state quarantine officer within 72 hours after the diversion of the livestock.

5. Any livestock brought into this state without complying with this section may be seized, destroyed or sent out of this state by the state quarantine officer within 48 hours. The expense of seizing, destroying or removing the livestock must be paid by the owner or his agent in charge of the livestock and the expense is a lien on the livestock, unless it was destroyed, until paid.".

Amend the title of the bill, second line, after "inspection;" by inserting: "providing additional restrictions on their entry into this state;".

Assemblyman Thompson moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 149.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered transmitted to the Senate.

GENERAL FILE AND THIRD READING

Assembly Bill No. 283.
Bill read third time.
Remarks by Assemblymen Dini and Getto.
Roll call on Assembly Bill No. 283:

YEAS—36.
NAYS—Bilyeu, Getto, Ham, Humke, Joerg, Redelsperger—6.

Assembly Bill No. 283 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 583.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 583:

YEAS—38.
NAYS—Berkley, Bilyeu, Humke, Redelsperger—4.

Assembly Bill No. 583 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Senate Bill No. 93 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Bremner.
Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 388 be taken from the Chief Clerk's desk and placed on the Second Reading File.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 17.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 17:

YEAS—29.
NAYS—Berkley, Beyer, Bourne, Coffin, Francis, Getto, Perry, Sader, Sedway, Stewart, Swain, Thompson, Mr. Speaker—13.

Assembly Bill No. 17 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 175.
Bill read third time.
Remarks by Assemblyman Bremner.

Roll call on Assembly Bill No. 175:

YEAS—42.

NAYS—None.

Assembly Bill No. 175 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 279.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 279:

YEAS—42.

NAYS—None.

Assembly Bill No. 279 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 298.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 298:

YEAS—36.

NAYS—Bergevin, Joerg, Marvel, Price, Stone, Thomas—6.

Assembly Bill No. 298 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 303.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 303:

YEAS—42.

NAYS—None.

Assembly Bill No. 303 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 420.

Bill read third time.

Remarks by Assemblyman Collins.

Roll call on Assembly Bill No. 420:

YEAS—42.

NAYS—None.

Assembly Bill No. 420 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 11:50 a.m.

ASSEMBLY IN SESSION

At 11:56 a.m.
Mr. Speaker presiding.
Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 5, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 146 and requests a conference, and appointed Senators Glaser, Horn and Mello as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 332, 339, 369, 386.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Joint Resolution No. 20.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolution No. 32.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Dini, Thompson and Redelsperger as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 146.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly No. 48, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

JAMES H. BILBRAY	DANNY L. THOMPSON
WILLIAM J. RAGGIO	JOSEPH E. DINI JR.
FLOYD R. LAMB	VIRGIL M. GETTO
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Thompson moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 48.

Remarks by Assemblyman Thompson.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 445.
Bill read third time.
Remarks by Assemblyman Sedway.

Roll call on Assembly Bill No. 445:

YEAS—41.
NAYS—None.
Absent—Price.

Assembly Bill No. 445 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 461.

Bill read third time.

Remarks by Assemblyman Bourne.

Roll call on Assembly Bill No. 461:

YEAS—42.
NAYS—None.

Assembly Bill No. 461 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 492.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 492:

YEAS—42.
NAYS—None.

Assembly Bill No. 492 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Chaney, Collins, Price, Kovacs, Bourne, Nevin, Stone, Bogaert, Fay, Banner, Ham, Jeffrey, Stewart, May, Getto, Thomas, Francis, Brady, Schofield, Nicholas, Beyer, DuBois, Coffin, Sedway, Joerg, Zimmer, Vergiels, Swain, Kerns, Bilyeu, Craddock, Berkley, Humke, Redelsperger, Thompson, Dini, Sader, Perry, Bergevin, Malone, Marvel and Bremner:

Assembly Concurrent Resolution No. 42—Designating May 5 as the day to honor the Black Chamber of Commerce.

WHEREAS, On July 7, 1980, the Black Chamber of Commerce, Inc., became a reality for the people of the State of Nevada; and

WHEREAS, This organization was conceived to help fill a void in the black business community; and

WHEREAS, Members of the Black Chamber of Commerce have worked hard to create a better understanding and appreciation of the importance of the black businessman and a concern for his problems; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That members of the 62nd session of the Nevada legislature commend those members of the Black Chamber of Commerce who have made a positive impact on the black business community and designate May 5 as the day to honor the Black Chamber of Commerce; and be it further

Resolved, That a copy of this resolution be transmitted forthwith by the legislative counsel to Sarann Knight Preddy, president of the Black Chamber of Commerce.

Assemblyman Chaney moved the adoption of the resolution.

Remarks by Assemblymen Chaney, Collins and Bilyeu.

Assemblyman Bourne requested that the following remarks be entered in the Journal:

ASSEMBLYMAN CHANEY:

I would like to mention that it is a pleasure today to have the members of the Chamber with us, and to say just a word about their involvement in the Black community in terms of promoting business. It is good to see the Chamber organized to stimulate businesses in the Black community, and to be on the side of helping to boost business on the end of giving instead of receiving. I think it should be noted that most of the people in the Chamber are either involved in business or they are interested. So again, it is my pleasure to have them here. I want to thank this body for recognizing today as being Chamber Day.

ASSEMBLYMAN COLLINS:

Mr. Speaker and distinguished body, as you know, not only have we had problems economically in our community, but we have had problems as individuals in the community. What this resolution does is, for the first time in the history of the State, it brings not only Blacks into the community, but it also strengthens the Democratic Party. As you know, there has been some diversity as far as representation in the party. But the resolution brings people together not only for the benefit of the area, but for the party as a whole. I am glad to see this body adopt the resolution. I think we are headed in the right direction. As you know, for the first time I have coincided with Mr. Chaney and the group, something that wasn't done before. This is a step in the right direction.

Thank you, Mr. Speaker.

Resolution adopted unanimously.

Assemblyman Dini moved that Assembly Bill No. 350 be taken from the General File and placed on the chief Clerk's desk.

Remarks by Assemblymen Dini, Jeffrey, Bourne and Getto.

Motion lost on a division of the house.

GENERAL FILE AND THIRD READING

Assembly Bill No. 511.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Assembly Bill No. 511:

YEAS—42.

NAYS—None.

Assembly Bill No. 511 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 555.

Bill read third time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 797.

Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:

"Sec. 2. This act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 350.
Bill read third time.
Remarks by Assemblymen Jeffrey, Bourne and Dini.
Roll call on Assembly Bill No. 350:

YEAS—37.
NAYS—Dini, Getto, Kerns, Marvel, Stewart—5.

Assembly Bill No. 350 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 361.
Bill read third time.
The following amendment was proposed by the Committee on Commerce:
Amendment No. 785.
Amend sec. 10, page 4, line 30, after "experience" by inserting "*in architectural work*".
Amend sec. 10, page 4, by deleting line 38 and inserting: "in architectural work [.] *for the purpose of registration as an architect.*".
Amend sec. 10, page 5, line 14, by inserting after the period: "*The board may, by regulation, prescribe other courses of study, in addition to those enumerated in subsection 2, which may be substituted for experience for this purpose.*".
Assemblyman Jeffrey moved the adoption of the amendment.
Remarks by Assemblyman Jeffrey.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Joint Resolution No. 27.
Resolution read third time.
Remarks by Assemblymen Schofield, Bogaert, Joerg, Thomas, DuBois, Getto, Sader, Nicholas, Dini, Bilyeu, Bourne, Kovacs and Fay.
Roll call on Assembly Joint Resolution No. 27:

YEAS—17.
NAYS—Bergevin, Beyer, Bilyeu, Brady, Bremner, DuBois, Francis, Getto, Ham, Humke, Joerg, Kerns, Malone, Marvel, May, Perry, Redelsperger, Sader, Stewart, Stone, Swain, Thomas, Zimmer—23.
Absent—Chaney, Collins—2.

Assembly Joint Resolution No. 27 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Joint Resolution No. 4.
Resolution read third time.

Roll call on Assembly Joint Resolution No. 4:

YEAS—21.

NAYS—Bergevin, Beyer, Bilyeu, Bremner, Coffin, DuBois, Getto, Joerg, Malone, Marvel, May, Nevin, Redelsperger, Sader, Stewart, Stone, Swain, Thomas, Zimmer—19.

Absent—Chaney, Collins—2.

Assembly Joint Resolution No. 4 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 93.

Bill read third time.

Remarks by Assemblymen Swain and Bergevin.

Roll call on Assembly Bill No. 93:

YEAS—11.

NAYS—Banner, Bergevin, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, DuBois, Fay, Francis, Getto, Ham, Humke, Joerg, Kerns, Malone, Marvel, May, Nevin, Nicholas, Perry, Price, Redelsperger, Schofield, Sedway, Stone, Thomas, Zimmer—29.

Absent—Chaney, Collins—2.

Assembly Bill No. 93 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Joint Resolution No. 4 was this day refused passage.

GENERAL FILE AND THIRD READING

Senate Bill No. 104.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 104:

YEAS—40.

NAYS—None.

Absent—Chaney, Collins—2.

Senate Bill No. 104 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 232.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 232:

YEAS—40.

NAYS—None.

Absent—Chaney, Collins—2.

Senate Bill No. 232 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 280.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Senate Bill No. 280:

YEAS—40.
NAYS—None.
Absent—Chaney, Collins—2.

Senate Bill No. 280 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 292.
Bill read third time.
Remarks by Assemblyman Getto.
Roll call on Senate Bill No. 292:

YEAS—39.
NAYS—Thomas.
Absent—Chaney, Collins—2.

Senate Bill No. 292 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 117.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Senate Bill No. 117:

YEAS—40.
NAYS—None.
Absent—Chaney, Collins—2.

Senate Bill No. 117 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 273.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Senate Bill No. 273:

YEAS—40.
NAYS—None.
Absent—Chaney, Collins—2.

Senate Bill No. 273 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

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

Assembly in recess at 1:13 p.m.

ASSEMBLY IN SESSION

At 1:14 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 110.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 781.

Amend the bill as a whole by renumbering section 6 as section 8 and adding new sections designated as sections 6 and 7, following section 5, to read as follows:

"Sec. 6. NRS 40.470 is hereby amended to read as follows:

40.470 1. Whenever title or an interest in real or personal property is affected by the death of any person, any other person who claims any interest in [such] *the* real or personal property, [which] *if his* interest is affected by the death of [such] *that* person, may file in the district court of any county in which any part of [such] *the* real or personal property is situated [,] a verified petition setting forth those facts and particularly describing the real or personal property, the interest of the petitioner, and the interest of the deceased therein.

2. The clerk shall set the petition for hearing by the court. Notice of hearing of the petition [shall] *must* be mailed, by certified mail return receipt requested, postage prepaid, to the heirs at law of the deceased person at their places of business or residences, if known, and if not, by publication for at least 3 successive weeks in such newspaper as the court [shall order.] *orders,* Failure on the part of any such heir at law to contest the petition [shall preclude] *precludes* any such heir at law from thereafter contesting the validity of the joint interest or its creation or termination.

3. The court shall take evidence for or against the petition, and may render judgment thereon establishing the fact of [such] *the* death and the termination of the interest of the deceased in the real or personal property described in the petition.

4. A certified copy of the decree may be recorded in the office of the recorder of each county in which any part of the real or personal property is situated.

5. As an alternative method, whenever title or an interest in real or personal property held in joint tenancy *or as community property with right of survivorship* is affected by death of any person, any person who has knowledge of the facts may file in the office of the county recorder in the county where the property is situated an affidavit reciting the existence of [such] *the* property, describing [such] *the* property, and establishing the death of the joint tenant or tenants *or the spouse* by attaching a certified copy of the death certificate or certificates to [such] *the* affidavit.

Sec. 7. NRS 111.365 is hereby amended to read as follows:

111.365 In the case of real property owned by two or more persons as joint tenants [,] *or as community property with right of survivorship,* it is presumed that all title or interest in and to [such] *that* real property of each of one or more deceased joint tenants *or the deceased spouse* has terminated, and vested solely in the surviving joint tenant *or spouse* or vested jointly in the surviving joint tenants, if there has been recorded in the office of the recorder of the county or counties in which [such] *the* real property is situate an affidavit, subscribed and sworn to by a person who has knowledge of the hereinafter required facts, which sets forth the following:

1. The family relationship, if any, of *the* affiant to each [of such one or more] deceased joint [tenants;] *tenant or the deceased spouse;*

2. A description of the instrument or conveyance by which the joint tenancy *or right of survivorship* was created;

3. A description of the real property subject to [such] *the* joint tenancy [;] *or right of survivorship;* and

4. The date and place of death of each [of such one or more] deceased joint [tenants.] *tenant or the deceased spouse.*''.

Amend the title of the bill to read:

''An Act relating to property; increasing the amount exempt as a homestead; increasing the value of a dwelling exempt from execution; providing that certain conveyances do not extinguish the homestead; clarifying provisions relating to the right of survivorship and the disposition of the property in case of death; providing an alternative method of establishing the termination of an interest in community property with right of survivorship and establishing a related presumption; and providing other matters properly relating thereto.''.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 176.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 765.

Amend the bill as a whole, by inserting a new section, designated as section 1, preceding section 1, to read:

''Section 1. NRS 391.040 is hereby amended to read as follows:

391.040 1. The state board of education may fix fees of not less than $3 for the issuance and renewal of certificates. Fees for issuing duplicate certificates are the same as for issuing the originals.

2. The *portion of each fee which represents the amount charged by the Federal Bureau of Investigation for processing the fingerprints of the applicant must be deposited with the state treasurer for credit to the appropriate account of the department of education. The remaining portion of the* money received from the fees [shall] must be paid into the state general fund.''.

Amend the bill as a whole by renumbering sections 1 through 3 as sections 2 through 4.

Amend section 1, page 1, line 2, after "to" as it first appears, by inserting: "the educational administration account of".

Amend section 2, page 1, line 6, by deleting "1" and inserting "2".

Amend the title of the bill, by deleting line 1 and inserting:

"An Act relating to the department of education; providing for the disposition of money received from fees for the issuance of certificates; making an appropriation to the department for the".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

SECOND READING AND AMENDMENT

Assembly Bill No. 300.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 773.

Amend section 1, page 1, line 3, by deleting "*1.*".

Amend section 1, pages 1 and 2, by deleting lines 8 through 12 on page 1 and lines 1 through 14 on page 2 and inserting:

"*1. Accepting or expending money on behalf of the older person.*

2. Making statements which indicate an assumption of responsibility for the care of the older person.

3. Living with the older person for 3 months or more, if the relationship is not solely for the purpose of sharing expenses.

4. Taking any other action which indicates an assumption of responsibility for the care of the older person.".

Amend sec. 2, page 2, line 33, by deleting "*55*" and inserting "*60*".

Amend sec. 2, page 2, by inserting between lines 34 and 35:

"*5. "Protective services" means services the purpose of which is to prevent and remedy the abuse, exploitation and neglect of older persons. The services may include investigation, evaluation, counseling, arrangement and referral for other services and assistance.*".

Amend sec. 3, page 2, by deleting lines 36 through 42 and inserting:

"200.5093 1. [A report must be made within 3 working days] *Immediately* after an instance of abuse, neglect or exploitation *of an older person* is suspected [to the] *, a report must be made to:*

(a) The local office of the welfare [division or to the] *or* aging services division of the department of human resources [or to any] *;*

(b) Any police department or sheriff's office [when there is a reason to believe that an older person has been abused, neglected or exploited.] *; or*

(c) The county's office for protective services, if one exists in the county where the suspected action occurred.

If".

Amend sec. 3, page 3, by deleting lines 25 and 26 and inserting:

"*(g) Any employee of the welfare or aging services division of the department of human resources.*

(h) Any employee of a police department, sheriff's office or a county's office for protective services.".

Amend sec. 3, page 3, line 29, by deleting "*investigate*" and inserting: "*cause the investigation of*".

Amend sec. 3, page 3, between lines 29 and 30 by inserting:

"*5. If the investigation of the report results in the belief that the older person is abused, neglected or exploited, the welfare division of the department of human resources or the county's office for protective services may provide protective services to the older person if he is able and willing to accept them.*".

Amend the bill as a whole by adding new sections, designated sections 8 through 13, following section 7, to read as follows:

"Sec. 8. NRS 244A.682 is hereby amended to read as follows:

244A.682 "Health and care facility" means a hospital, an intermediate care facility , [or] a skilled nursing facility *or a day care facility for adults,* as those terms are defined in NRS 449.012, 449.014 , [and 449.018,] *449.018 and section 10 of this act,* respectively.

Sec. 9. NRS 427A.020 is hereby amended to read as follows:

427A.020 For the purposes of this chapter:

1. "Administrator" means the chief of the aging services division of the department.

2. "Day care center" means [any health and care facility, as defined by NRS 449.007, which is maintained and operated primarily to provide care for one or more elderly disabled persons during the day.] *a day care facility for adults, as defined in section 10 of this act.*

3. "Department" means the department of human resources.

4. "Director" means the director of the department.

5. "Division" means the aging services division of the department.

Sec. 10. Chapter 449 of NRS is hereby amended by adding thereto a new section which shall read as follows:

"Day care facility for adults" means an establishment operated and maintained for the purpose of providing care during the day on a temporary or permanent basis for ambulatory aged or infirm persons.

Sec. 11. NRS 449.001 is hereby amended to read as follows:

449.001 As used in NRS 449.001 to 449.248, inclusive, *and section 10 of this act,* unless the context otherwise requires, the words and terms defined in NRS 449.002 to 449.018, inclusive, *and section 10 of this act,* have the meanings ascribed to them in those sections.

Sec. 12. NRS 449.005 is hereby amended to read as follows:

449.005 *1.* "Group care facility" means an establishment operated and maintained for the purpose of furnishing food, shelter and personal care or services other than nursing care to:

[1.] *(a)* Four or more ambulatory aged, infirm, mentally retarded or handicapped persons unrelated to the person operating the facility; or

[2.] *(b)* Four or more females during pregnancy or after delivery, who are unrelated to the person operating the facility.

2. The term does not include any establishment which provides care only during the day.

Sec. 13. NRS 449.007 is hereby amended to read as follows:

449.007 "Health and care facility" includes alcohol or drug treatment facility, ambulatory surgical center, *day care facility for adults,* group care facility, home health agency, intermediate care facility, skilled nursing facility, hospice and hospital.".

Amend the title of the bill to read as follows:

"An Act relating to abuse and neglect of older persons; extending the prohibition on neglect to persons who voluntarily assume responsibility for the care of an older person; requiring certain persons to report incidents of abuse, neglect or exploitation; requiring an investigation of reported abuse, neglect or exploitation within 3 working days after the report; expanding the duties of the aging services division of the department of human resources; requiring that day care facilities be licensed; adding day care facilities for adults to the projects which may be undertaken pursuant to the County Economic Development Revenue Bond Law; providing a penalty; and providing other matters properly relating thereto.".

Assemblyman Berkley moved the adoption of the amendment.

Remarks by Assemblyman Berkley.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 366.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 711.

Amend section 1, page 1, by deleting line 13 and inserting: "*determined pursuant to section 4.010.*".

Amend section 1, page 2, by deleting lines 20 through 24 and inserting: "the term. If the city council fails to enact such an".

Amend the bill as a whole by deleting sections 2 and 3 and inserting:

"Secs. 2 and 3. (Deleted by amendment.)".

Amend sec. 4, page 3, by deleting lines 27 through 30 and inserting:

"*2. The mayor, with the consent of a majority of the city council, may establish a second department of the municipal court. The mayor shall appoint the additional municipal judge to serve until the next general*".

Amend the bill as a whole by deleting sections 5 through 17 and inserting:

"Secs. 5 through 17. (Deleted by amendment.)".

Amend the title of the bill by deleting the second and third lines and inserting: "to allow an additional department of the municipal court; and providing other matters properly relating".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 145.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 709.

Amend sec. 5, page 2, by deleting lines 19 and 20 and inserting:

"*Sec. 5. 1. A court trying a criminal case shall provide victims and witnesses a secure waiting area which is not used by the members of the jury or the*".

Amend sec. 7, page 2, line 35, by deleting "him of" and inserting: "*him:*

(a) When the defendant is released from custody at any time before or during the trial;

(b) If the defendant is so released, the amount of bail required, if any; and

(c) Of".

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblyman Humke.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 163.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 766.

Amend sec. 3, page 3, line 8, by deleting "*$10,000*" and inserting "*$25,000*".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 240.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 757.

Amend section 1, page 1, by deleting lines 1 and 2 and inserting:

"Section. 1. The state gaming control board is hereby authorized to expend from money accumulated in the investigative fund created by NRS 463.331 the sum of $85,550 for the pur-".

Amend the bill as a whole by deleting sections 2 and 3 and renumbering section 4 as section 2.

Amend the title of the bill, by deleting lines 1 and 2 and inserting:

"An Act authorizing the state gaming control board to expend money

from the investigative fund for the purchase of certain testing equipment; and''.

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 388.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 748.

Amend section 1, page 1, line 3, by deleting ''*5,*'' and inserting ''*6,*''.

Amend section 1, page 1, by deleting lines 6 through 10 and inserting:

''*2. Except as otherwise provided in subsection 3, any person who violates subsection 1 is guilty of a misdemeanor.*

3. Any person who is 18 years of age or older who distributes or sells an imitation controlled substance to a person who is under the age of 18 shall be punished by imprisonment in the state prison for not less than 1 year nor more than 6 years and may be further punished by a fine of not more than $5,000.

4. Any person who:''.

Amend section 1, page 1, line 16, by deleting the period and inserting: ''*upon his first and second convictions, and upon a third or any further conviction, shall be punished by imprisonment in the state prison for not less than 1 year nor more than 6 years and may be further punished by a fine of not more than $5,000.*''.

Amend section 1, page 1, line 17, by deleting ''*4.*'' and inserting ''*5.*''.

Amend section 1, page 2, line 8, after ''*substance.*'' by inserting: ''*In determining whether such a representation was made, the court shall consider, in addition to all other logically relevant factors:*

(I) Statements made by the defendant regarding the nature of the substance, its use or effect.

(II) Statements made by the defendant regarding the recipient's ability to resell the substance at a substantially higher price than is customary for the substance.

(III) Whether the substance is packaged in a manner normally used for illicit controlled substances.''.

Amend section 1, page 2, line 9, by deleting ''*5.*'' and inserting ''*6.*''.

Amend sec. 3, page 3, line 30, by deleting ''*7.*'' and inserting ''7.''.

Amend sec. 3, page 3, after line 32 by inserting:

''*8.* Except as provided in this subsection, everything of value furnished or intended to be furnished in exchange for a controlled substance in violation of the provisions of NRS 453.011 to 453.551, inclusive, all proceeds traceable to such an exchange, and all money, negotiable instruments and securities used or intended to be used to

facilitate a violation of the provisions of NRS 453.011 to 453.551, inclusive. No person's interest in property may be forfeited pursuant to this subsection by reason of any act or omission which he establishes was committed or omitted without his knowledge or consent. If an amount of cash which exceeds $300 is found in the possession of a person who is arrested for a violation of NRS 453.337 or 453.338, then there is a rebuttable presumption that the cash is traceable to an exchange for a controlled substance and is subject to forefeiture pursuant to this subsection.''.

Amend the bill as a whole by adding a new section, designated section 4, following section 3, to read as follows:

''Sec. 4. Section 3 of this act shall become effective at 12:02 a.m. on July 1, 1983.''.

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblyman Bourne.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Elections:

Assembly Joint Resolution No. 32—Proposing to amend sections 3 and 4 of the constitution of the State of Nevada to lengthen the terms of senators and members of the assembly; and to repeal certain conflicting provisions relating to such terms.

Resolved by the Assembly and Senate of the State of Nevada, jointly, That sections 9 and 10 of article 17 of the constitution of the State of Nevada be repealed, and sections 3 and 4 of article 4 be amended to read respectively as follows:

[Sec:] *Sec.* 3. The members of the Assembly shall be chosen [biennialy] by the qualified electors of their respective districts, on the Tuesday next after the first Monday in November *in 1990 and every four years thereafter,* and their term of office shall be [two] *4* years from the day next after their election. *The terms of the members of the assembly elected at the general election in 1986 expire on the day after the general election in 1990.*

[Sec:] *Sec.* 4. Senators shall be chosen [at the same time and places as members of the Assembly] *on the Tuesday next after the first Monday in November of even-numbered years* by the qualified electors of their respective districts . [, and their term of office shall be four Years from the day next after their election.] *The legislature shall provide by law for the allotment of the senators elected at the general elections in 1986 and 1988 into classes whose terms expire on the day next after the general elections in 1988, 1990 and 1992 respectively. These classes must be as nearly equal in number as possible, and thereafter the terms of office for senators shall be 6 years from the day next after their election, except that upon any decennial reapportionment of the legislature, initial terms of 2 or 4 years, or both, may be provided to preserve the equality of the classes as nearly as possible. When any county or district is entitled to elect two or more senators, they must be apportioned, as nearly as possible, equally among the classes.*

Assemblyman Sader moved that the resolution be referred to the Committee on Elections.

Motion carried.

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

Assembly in recess at 1:24 p.m.

ASSEMBLY IN SESSION

At 1:25 p.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Schofield and Jeffrey:

Assembly Concurrent Resolution No. 43—Memorializing the late Pat Emery.

WHEREAS, When Pat Emery passed away on December 26, 1982, the people of the State of Nevada suffered the irreparable loss of one of its most knowledgeable historians of pioneer life on the Colorado River; and

WHEREAS, Pat Emery was a native of Nevada, born in Las Vegas on April 18, 1929, and resided in Boulder City for many years; and

WHEREAS, The last four generations of the Emery family have lived on the Colorado River and Pat had spent the last year of his life accumulating materials to fulfill his dream of writing a book on this subject, a dream that now will never be realized; and

WHEREAS, Pat Emery did, however, build a museum at Nelson which houses a collection of artifacts from Hoover Dam; and

WHEREAS, Pat was only 53 years old at the time of his passing, but memories of his dynamic personality and zest for life will remain with all who knew him; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That members of this legislature of the State of Nevada hereby convey their sincere condolences to the family of the late Pat Emery; and be it further

Resolved, That a copy be prepared and transmitted forthwith by the legislative counsel to Patsy, Pat Emery's widow.

Assemblyman Schofield moved the adoption of the resolution.

Remarks by Assemblyman Schofield.

Assemblyman Bourne requested that Assemblyman Schofield's remarks by entered in the Journal:

I just wanted to get up and say a few things about Pat Emery. I had known Pat ever since I was in high school in Las Vegas. However, the history of Pat and his dad, Murl, go back a long way before Hoover Dam, and even before the engineers had done their survey work and tried to choose the site of Hoover Dam. His father would go down in the annals of history because he owned the only transportation across the Colorado River between Nelson and the Arizona side. He took all of the engineers and Frank Crowe, the superintendent of construction, that initially began Hoover Dam. The family goes back into history quite a ways. I feel it very appropriate, because this man's life ended right when he was in his prime, that something like this should go down in the annals of history concerning him; especially about the Colorado River. Pat, before he passed away, had been working on a particular four by six foot photograph board that right now is in the museum at Hoover Dam. I think that this would be something that will be historical for the State of Nevada, and especially the people of southern Nevada, in the years to come. This will live forever at that dam. I certainly urge the adoption of this resolution memorializing Mr. Emery. The loss to his mother and wife and family is a loss to all of us.

Resolution adopted unanimously.

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

Assembly in recess at 1:29 p.m.

ASSEMBLY IN SESSION

At 1:30 p.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 59.

The following Senate amendment was read:

Amendment No. 620.

Amend section 1, page 1, line 2, by deleting "8," and inserting "9,".

Amend sec. 2, page 1, line 3, by deleting "*8,*" and inserting "*9,*".

Amend sec. 2, page 1, line 10, by deleting "*time an*" and inserting "*time a manufacturer's*".

Amend sec. 2, page 1, line 15, by deleting "*motorcycles,*".

Amend sec. 3, page 2, line 1, after "*to all*" by inserting "*of the manufacturer's*".

Amend sec. 3, page 2, line 4, after "*of the*" by inserting "*manufacturer's*".

Amend sec. 3, page 2, lines 5 and 6, by deleting: "*originally delivered to the buyer,*" and inserting: "*delivered to the original buyer,*".

Amend sec. 4, page 2, line 18, by deleting: "*vehicle by the buyer,*" and inserting "*vehicle,*".

Amend sec. 4, page 2, line 39, by deleting: "*originally delivered to the buyer,*" and inserting: "*delivered to the original buyer,*".

Amend sec. 4, page 2, line 40, by deleting the period and inserting "*; or*".

Amend sec. 4, page 2, line 44, by deleting: "*originally delivered to the buyer,*" and inserting: "*delivered to the original buyer,*".

Amend sec. 5, page 3, line 5, by deleting "*8,*" and inserting "*9,*".

Amend the bill as a whole by adding new sections designated sections 9 and 10, following section 8, to read as follows:

"Sec. 9. *Any action brought pursuant to sections 2 to 6, inclusive, of this act must be commenced within 18 months after the date of the original delivery of the motor vehicle to the buyer.*

Sec. 10. NRS 11.190 is hereby amended to read as follows:

11.190 Actions other than those for the recovery of real property, unless further limited by [NRS 11.205, by NRS 11.207, or by or pursuant to the Uniform Commercial Code,] *specific statute,* can only be commenced as follows:

1. **Within 6 years:**

(a) An action upon a judgment or decree of any court of the United States, or of any state or territory within the United States.

(b) An action upon a contract, obligation or liability founded upon an instrument in writing, except those mentioned in the preceding sections of this chapter.

2. **Within 4 years:**

(a) An action on an open account for goods, wares and merchandise sold and delivered.

(b) An action for any article charged on an account in a store.

(c) An action upon a contract, obligation or liability not founded upon an instrument in writing.

3. **Within 3 years:**

(a) An action upon a liability created by statute, other than a penalty or forfeiture.

(b) An action for waste or trespass of real property; but when the waste or trespass is committed by means of underground works upon any mining claim, the cause of action shall not be deemed to have accrued until the discovery by the aggrieved party of the facts constituting such waste or trespass.

(c) An action for taking, detaining or injuring personal property, including actions for specific recovery thereof; but in all cases where the subject of the action is a domestic animal usually included in the term "livestock," having upon it at the time of its loss a recorded mark or brand, and when the animal strays or is stolen from the true owner without his fault, the statute does not begin to run against an action for the recovery of the animal until the owner has actual knowledge of such facts as would put a reasonable man upon inquiry as to the possession thereof by the defendant.

(d) An action for relief on the ground of fraud or mistake; but the cause of action in such a case shall not be deemed to have accrued until the discovery by the aggrieved party of the facts constituting the fraud or mistake.

4. **Within 2 years:**

(a) An action against a sheriff, coroner or constable upon the liability incurred by acting in his official capacity and in virtue of his office, or by the omission of an official duty, including the nonpayment of money collected upon an execution.

(b) An action upon a statute for a penalty or forfeiture, where the action is given to a person or the state, or both, except when the statute imposing it prescribes a different limitation.

(c) An action for libel, slander, assault, battery, false imprisonment or seduction.

(d) An action against a sheriff or other officer for the escape of a prisoner arrested or imprisoned on civil process.

(e) An action to recover damages for injuries to a person or for the death of a person caused by the wrongful act or neglect of another. The provisions of this paragraph relating to an action to recover damages for injuries to a person apply only to causes of action which accrue after March 20, 1951.

5. **Within 1 year:**

(a) An action against an officer, or officer de facto to recover any goods, wares, merchandise or other property seized by the officer in his official capacity, as tax collector, or to recover the price or value of any goods, wares, merchandise or other personal property so seized,

or for damages for the seizure, detention, sale of, or injury to any goods, wares, merchandise or other personal property seized, or for damages done to any person or property in making such seizure.

(b) An action against an officer, or officer de facto for money paid to the officer under protest, or seized by the officer in his official capacity, as a collector of taxes, and which, it is claimed, ought to be refunded.''.

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 59.

Remarks by Assemblyman Berkley.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Vergiels, Humke, Getto, Joerg, Thomas, Jeffrey, Kovacs, Bourne, Stone, Nevin, Fay, Banner, Ham, Brady, Beyer, Coffin, Chaney, DuBois, Sedway, Zimmer, Bilyeu, Kerns, Craddock, Berkley, Redelsperger, Thompson, Dini, Sader, Perry, Collins, Price, Bergevin, May, Bogaert, Malone, Marvel, Bremner, Swain, Francis, Nicholas, Stewart and Schofield:

Assembly Concurrent Resolution No. 44—Memorializing the late E. F. ''Chow'' McGarry.

WHEREAS, On April 7, 1983, the people of the State of Nevada lost a man who gave unselfishly of himself throughout his life; and

WHEREAS, E. F. ''Chow'' McGarry was born June 21, 1922, in Butte, Montana, and lived in Nevada for the last 36 years; and

WHEREAS, For 31 consecutive Christmas Eves, ''Chow'' donned the red suit and white beard of Santa Claus as he brought happiness into the lives of youngsters throughout Nevada; and

WHEREAS, Mr. McGarry was a friend to the Carmelite Sisters of Reno, always offering to assist them in any way that he could; and

WHEREAS, Mr. McGarry was also active in organizing the Sons of Erin and the Daughters of Erin in both Reno and Las Vegas; now, therefore, be it

Resolved by the Assembly of The State of Nevada, the Senate concurring, That members of this legislative body express their sincere condolences to the family of the late ''Chow'' McGarry; and be it further

Resolved, That a copy of this resolution be prepared and transmitted forthwith by the legislative counsel to ''Chow'' McGarry's widow, Betty.

Assemblyman Fay moved the adoption of the resolution.

Remarks by Assemblyman Fay.

Assemblyman Bourne requested that Assemblyman Fay's remarks be entered in the Journal:

Anybody who has been involved in political life for the last 30 years in the State of Nevada, whether north or south, I am sure has known or heard of ''Chow'' McGarry. It was my pleasure to meet Chow and his brother, Bill, in 1966 (18 years ago) when I first moved to the State of Nevada. Subsequent to that time we were engaged in many political campaigns. Chow, as you know, was the old-fashioned type of ''no holds barred'' politician. Whether on the winning or losing side, the entrance of Chow into a campaign was a guarantee that it would be an interesting procedure. Chow, even though he was a tough guy, had a heart of gold. He was involved in many charitable and civic functions.

In closing, in memory of Chow, may I quote from an old Gaelic expression. ''May the wind be always at his back, and may the devil not know he is dead until an hour after he enters Paradise.''

Thank you.

Resolution adopted unanimously.

By Assemblymen Nevin, Sedway, Marvel, Banner, Bourne, Kovacs, Craddock, Thompson, Dini, Schofield, Coffin, Swain, Sader, Perry, Jeffrey, Collins, Fay, Bremner, Stewart and Vergiels:

Assembly Concurrent Resolution No. 45—Directing the public service commission of Nevada to mail agenda of its meetings to interested persons upon request.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Senate Joint Resolution No. 20.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Taxation.

Motion carried.

Senate Concurrent Resolution No. 32.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Education.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 332.

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

Motion carried.

Senate Bill No. 339.

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

Motion carried.

Senate Bill No. 369.

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

Motion carried.

Senate Bill No. 386.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 618—An Act relating to nurseries; increasing the fees charged by the state department of agriculture; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Elections:

Assembly Bill No. 619—An Act relating to registration of voters;

allowing a person to register as a voter in conjunction with his application to the department of motor vehicles for a driver's license or identification card; providing for appointment of examiners of applicants for drivers' licenses to serve as special deputy registrars of voters; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

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

Assembly in recess at 1:38 p.m.

ASSEMBLY IN SESSION

At 1:39 p.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Humke:

Assembly Bill No. 620—An Act relating to concealed weapons; prohibiting the manufacture of a knife which is built into a belt buckle; prohibiting a person from carrying such a weapon concealed upon his person; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 621—An Act relating to fishing; authorizing the board of wildlife commissioners to allow the taking of protected fish by means other than by angling; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Elections:

Assembly Bill No. 622—An Act relating to initiated measures; providing a procedure whereby the registered voters of a county may, by their power of initiative, amend a statute enacted by the legislature which pertains to that county only; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Joint Resolution No. 27 was this day refused passage.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 148, 385; Senate Bills Nos. 28, 92, 183, 228, 251; Senate Concurrent Resolution No. 40.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Chaney, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Gwyn Brown Coleman and Mr. Kenneth R. Kemp.

On request of Assemblyman Beyer, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Jason Baclayon, Troy Hutchins, Mike St. Claire, Brice Cocanour, Karl Ross, Tony Turley, Matt Baclayon, Ken Lightfoot and Paul Beyer.

On request of Assemblyman Collins, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. David Washington and Morse Arberry.

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Eric Antila, Dave Millhollin, Ms. Sue Monrda and students from Dayton High School, Dayton, Nevada: Allen Ansart, Shawn Cantley, Dennis Davis, Mike Desotell, Tony Dilk, Roger Hass, Paul Howard, Pat Jensen, Charles Keller, Joe Moore, James Paterson, Shawn Polson, David Reed, Kurt Service, Paul Silva, Jason Thrailkill, Reese Teitje, Rodney Williams, Daniel Ross, Matthew Charles Dillon, Shannon Simmons, Sonya Derrah, Rapheal Nice, Shawn Smith, Jennifer Buckley, Ray Fierro, Leah Beaudette, Shelina Bourquin, Collette Burke, Kristen Burke, Dana Caraway, Cindy Carlisle, Vicky Carlson, Deanna Cremers, Emily Davidson, Wendy DiMarzo, Tammy Fridley, Kathy Glick, Kelly Goodwin, Lauren Kerri, Joanie Lyons, Dana Mayer, Angel Medina, Carol Muldoon, Monie Newman, Tricia Parker, Eileen Penrod, Michelle Piland, Sheridan Ray, Laura Speck, Antoinette Thomas, Joyce Valentine, Jennifer Walters, Gidget Warren, Monica Freudenberg and Stacey Sturgis.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Fred Horlacher, Noel Parkhurst, Ms. Niki Elliot, Georgia Tachoires and students from Reed High School, Sparks, Nevada: Laurie Adams, Don Adin, Elise Albin, Pam Black, Lisa Davidek, Chrissy Greenawalt, Kathy Gagnon, Bruce Hanneman, Patricia Helling, John Hughes, Kip Larsen, Don Leveille, John Lopez, Sharon Mansfield, April McCarty, Tom Moio, Peggy Nicholas, Christina Novak, Dennis Rodrique, Jerry

Shigeta, Scott Tilzey, Kim Weaver, Erin Williams, Eric Johnson and Robert Tachoires.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, May 6, 1983, at 10:45 a.m.

Motion carried.

Assembly adjourned at 1:42 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TENTH DAY

CARSON CITY (Friday), May 6, 1983

Assembly called to order at 10:50 a.m.

Mr. Speaker presiding.

Mr. Speaker announced that pursuant to Assembly Standing Rule No. 1, Section 2, subsection (d), Assemblyman Dini would act as presiding officer.

Assemblyman Dini presiding.

Roll called.

All present except Assemblymen Schofield and Zimmer, who were excused.

Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all, we know that you have been with us through the good days and the not so good days.

We know not what this day will bring, but continue to be with us throughout its remainder, that we may serve you and the people of this state well and faithfully.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Government Affairs, to which was referred Assembly Bill No. 534, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 573; Senate Bills Nos. 241, 275; Senate Joint Resolution No. 17, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 359, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and re-refer to the Committee on Ways and Means.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 548, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Government Affairs.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 227, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 5, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 57, 346, 386, 392, 411, 509, 540.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 43, 226, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the second Committee on Conference concerning Assembly Bill No. 48.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 42.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 8.

MAE LOFTHOUSE
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 6, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 43, 44.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 396.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 359 be re-referred to the Committee on Ways and Means.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 623—An Act relating to general improvement districts; permitting the board of county commissioners to designate the district's name and authorizing certain uses of the name; modifying the powers of the board of trustees concerning certain contracts; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 624—An Act relating to water pollution; making various procedural and substantive changes to the provisions of law for controlling such pollution; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 625—An Act relating to public administrators and guardians; authorizing the appointment of deputy public administrators; modifying certain administrative provisions concerning letters of administration and the release of information to public administrators; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 626—An Act relating to water pollution; permitting the director of the state department of conservation and natural resources to delegate his authority to test for the discharge of pollutants; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Bourne, Nevin, Stone, Nicholas, Bogaert, Humke, Beyer, Sader, Thomas and Kerns:

Assembly Bill No. 627—An Act relating to underground water; allowing the owner of a domestic well in certain areas to apply for a permit to appropriate the water; prohibiting the state engineer from plugging a well for which he has issued such a permit; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 628—An Act relating to employees of local government; requiring hearings by hearing officer or arbitrator of the local government employee-management relations board; repealing provisions relating to the advisory committee; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Stone:

Assembly Bill No. 629—An Act relating to speed limits; establishing a uniform speed limit for school zones; requiring the director of the department of transportation to adopt standards for signs and devices used in school zones; requiring local governments to post signs in accordance with those standards; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Fay, Jeffrey, Thompson, Banner, Collins, Thomas and Coffin:

Assembly Bill No. 630—An Act relating to public works; requiring a contractor to hire a percentage of Nevada residents if qualified and available; and providing other matters properly relating thereto.

Assemblyman Fay moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 396.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 538; Senate Bill No. 211, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Bill No. 569, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDWARD J. KOVACS, *Chairman*

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Assembly in recess at 11:02 a.m.

ASSEMBLY IN SESSION

At 11:11 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that Assemblymen Schofield and Zimmer are excused for the purpose of attending a meeting of the National Conference of State Legislatures in New York City.

GENERAL FILE AND THIRD READING

Assembly Bill No. 529.

Bill read third time.

Remarks by Assemblymen Bourne and Price.

Roll call on Assembly Bill No. 529:

YEAS—40.
NAYS—None.
Excused—Schofield, Zimmer—2.

Assembly Bill No. 529 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

In compliance with a notice given on a previous day, Assemblyman Stone moved that the vote whereby Assembly Joint Resolution No. 4 was refused passage be reconsidered.

Assemblymen Stewart, Bergevin and Stone requested a roll call on Assemblyman Stone's motion.

Roll call on Assemblyman Stone's motion:

YEAS—23.
NAYS—Bergevin, Beyer, Bilyeu, Brady, Bremner, Coffin, DuBois, Getto, Joerg, Malone, Marvel, May, Redelsperger, Sader, Stewart, Swain, Thomas—17.
Excused—Zimmer, Schofield—2.

The motion having received a majority, Mr. Speaker declared it carried.

In compliance with a notice given on a previous day, Assemblyman Stone moved that the vote whereby Assembly Joint Resolution No. 27 was refused passage be reconsidered.

Assemblymen Stewart, Price and Fay requested a roll call on Assemblyman Stone's motion.

Roll call on Assemblyman Stone's motion:

YEAS—16.
NAYS—Bergevin, Beyer, Bilyeu, Brady, Bremner, Collins, Dini, DuBois, Francis, Getto, Ham, Joerg, Kerns, Malone, Marvel, May, Perry, Price, Redelsperger, Sader, Stewart, Stone, Swain, Thomas—24.
Excused—Schofield, Zimmer—2.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

Assemblyman Stewart moved that Assembly Joint Resolution No. 4 be taken from its position on the General File and placed on the General File immediately following Assembly Bill No. 555.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 554.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 554:

YEAS—40.
NAYS—None.
Excused—Schofield, Zimmer—2.

Assembly Bill No. 554 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Berkley moved that Assembly Bill No. 300 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Berkley.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 611.

Bill read third time.

Remarks by Assemblyman Coffin.

Roll call on Assembly Bill No. 611:

YEAS—40.
NAYS—None.
Excused—Schofield, Zimmer—2.

Assembly Bill No. 611 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 176.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Assembly Bill No. 176:

YEAS—40.
NAYS—None.
Excused—Schofield, Zimmer—2.

Assembly Bill No. 176 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 361.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 361:

YEAS—40.
NAYS—None.
Excused—Schofield, Zimmer—2.

Assembly Bill No. 361 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 366.
Bill read third time.
Remarks by Assemblyman Nicholas.
Assemblyman Nevin moved that Assembly Bill No. 366 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblymen Nevin, Nicholas and Dini.
Motion carried.

Assembly Bill No. 388.
Bill read third time.
Remarks by Assemblymen Sedway and Bourne.
Roll call on Assembly Bill No. 388:
YEAS—40.
NAYS—None.
Excused—Schofield, Zimmer—2.
Assembly Bill No. 388 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 555.
Bill read third time.
Remarks by Assemblymen Thompson, Stone and Banner.
Roll call on Assembly Bill No. 555:
YEAS—39.
NAYS—Stone.
Excused—Schofield, Zimmer—2.
Assembly Bill No. 555 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assemblyman Bogaert moved that the Assembly recess subject to the call of the Chair.
Motion carried.

Assembly in recess at 11:30 a.m.

ASSEMBLY IN SESSION

At 11:35 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bogaert moved that Assembly Joint Resolution No. 4 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 210.
Bill read third time.
Remarks by Assemblymen Bogaert, Collins, Stone and Jeffrey.

Roll call on Senate Bill No. 210:

YEAS—39.
NAYS—Coffin.
Excused—Schofield, Zimmer—2.

Senate Bill No. 210 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 238.

Bill read third time.

Remarks by Assemblyman Francis.

Roll call on Senate Bill No. 238:

YEAS—39.
NAYS—Price.
Excused—Schofield, Zimmer—2.

Senate Bill No. 238 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 268.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 268:

YEAS—40.
NAYS—None.
Excused—Schofield, Zimmer—2.

Senate Bill No. 268 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 304.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Senate Bill No. 304:

YEAS—40.
NAYS—None.
Excused—Schofield, Zimmer—2.

Senate Bill No. 304 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 309.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 309:

YEAS—40.
NAYS—None.
Excused—Schofield, Zimmer—2.

Senate Bill No. 309 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 19.
Resolution read third time.
Remarks by Assemblyman Marvel.
Roll call on Senate Joint Resolution No. 19:

YEAS—40.
NAYS—None.
Excused—Schofield, Zimmer—2.

Senate Joint Resolution No. 19 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Senate Bill No. 110.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Senate Bill No. 110:

YEAS—40.
NAYS—None.
Excused—Schofield, Zimmer—2.

Senate Bill No. 110 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 145.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Senate Bill No. 145:

YEAS—40.
NAYS—None.
Excused—Schofield, Zimmer—2.

Senate Bill No. 145 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 163.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Senate Bill No. 163:

YEAS—39.
NAYS—Price.
Excused—Schofield, Zimmer—2.

Senate Bill No. 163 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 240.
Bill read third time.
Remarks by Assemblyman Bremner.

Roll call on Senate Bill No. 240:

YEAS—40.

NAYS—None.

Excused—Schofield, Zimmer—2.

Senate Bill No. 240 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Berkley moved that Assembly Bill No. 158 be taken from the Chief Clerk's desk and re-referred to the Committee on Elections.

Motion carried.

Assemblyman Dini moved that Assembly Bill No. 531 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Dini.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 531.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 810.

Amend sec. 8.150, pages 36 and 37, by deleting line 44 on page 36 and lines 1 and 2 on page 37 and inserting: "is situated in assembly district 6 as its boundaries exist on July 1, 1983, except that property which is bounded:

(a) On the north by Owens Avenue;

(b) On the east by Las Vegas Boulevard;

(c) On the south by Charleston Boulevard; and

(d) On the west by Interstate Highway 15.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed, and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bogaert moved that Assembly Bill No. 335 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Bogaert.

Motion carried.

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

Assembly in recess at 11:59 a.m.

ASSEMBLY IN SESSION

At 12 noon.

Assemblyman Dini presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 335.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 782.

Amend sec. 2, page 2, line 10, by deleting "9." and inserting "9.5,".

Amend sec. 8, page 3, by deleting line 13 and inserting:

"2. *The department consists of:*

(a) The division of administration.

(b) The division of regulation.

(c) Such other divisions as the executive director may from time to time establish.

3. The division of administration shall:

(a) Maintain a central recordkeeping system, keep personnel records of the department's employees and administer personnel rules, conduct the fiscal and auditing functions of the department and perform such other administrative services as are required by the department.

(b) Encourage and assist in the exploration for and the production of oil, gas, geothermal energy and minerals within this state.

(c) Collect and disseminate throughout the state information, calculated to educate persons engaged in those enterprises and benefit those enterprises in this state, and any information pertaining to any program administered by the department.

4. The division of regulation shall:

(a) Maintain a register of all mining operations and operations for the production of oil, gas and geothermal energy in this state.

(b) Record annually the production of each registered mining operation and operation for the production of oil, gas and geothermal energy in this state.

(c) Administer the provisions of chapter 522 of the Nevada Revised Statutes.

(d) Administer any regulations adopted by the commission.

Sec. 8.5. *1. The chief administrative officer of the department is the excu-*".

Amend sec. 8, page 3, line 16, by deleting "*3.*" and inserting "*2.*".

Amend sec. 8, page 3, line 19, by deleting "*4.*" and inserting "*3.*".

Amend sec. 8, page 3, line 21, by deleting "*5.*" and inserting "*4.*".

Amend sec. 9, page 3, by deleting lines 24 through 29 and inserting:

"Sec. 9. *The executive director:*

1. Shall coordinate the activities of the various divisions of the department.

2. May serve as administrator of any division.

3. May appoint an administrator for any division. The administrator must be appointed on the basis of fitness and is in the unclassified service.

4. Shall report to the commission upon all matters pertaining to the administration of the department.

5. Shall submit a biennial report to the governor and the legislature through the commission concerning the work of the department, with recommendations that he may deem necessary. The report shall set forth the facts relating to the condition of mining and of exploration for and production of oil and gas in the state.''.

Amend the bill as a whole by adding a new section, designated as section 9.5, following section 9, to read as follows:

''Sec. 9.5. *1. The fund for the department of minerals is hereby created in the state treasury as a special revenue fund.*

2. The following special fees and money must be deposited in the fund:

(a) All fees collected under chapter 522 of NRS.

(b) Special fees collected under NRS 517.230 and assigned to the fund.

(c) Any money appropriated to the department from the state general fund.

3. No money except that appropriated from the state general fund reverts to the state general fund.

4. The money in the fund is appropriated to the division and must be expended for the purposes of administering the provisions of this chapter and chapter 522 of NRS. All interest earned on the fund must remain in the fund.''.

Amend sec. 52, pages 20 and 21, by deleting lines 40 through 43 on page 20 and lines 1 through 6 on page 21 and inserting:

''522.150 1. [All money collected under the provisions of this chapter must be deposited in the state treasury for credit to the oil and gas conservation fund which is hereby created as a special revenue fund. The money in the fund must be expended for the purposes of administering the provisions of this chapter. In addition, any] Any expenses in connection with Nevada's affiliation with the Interstate Oil Compact Commission must be paid from the fund [.] *for the department of minerals.*''.

Amend sec. 52, page 21, line 7, by inserting an open bracket before ''All''.

Amend sec. 52, page 21, by deleting line 15.

Amend sec. 56, page 23, line 13, by deleting ''[;] *and minerals;*'' and inserting a Roman semicolon.

Amend sec. 60, page 25, lines 1 and 2, by deleting: ''oil and gas conservation fund.'' and inserting: ''fund for the department of minerals.''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Bogaert.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to the Concurrent Committee on Ways and Means.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 65, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Education, to which were referred Senate Bill No. 179; Assembly Joint Resolution No. 3, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT G. CRADDOCK, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 6, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 326, 347.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 317, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 149 and requests a conference, and appointed Senators Townsend, Bilbray and Glover as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Joint Resolution No. 22, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 278, 301, 345, 361, 413.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolution No. 10.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Assemblyman Dini appointed Assemblymen Thompson, Marvel and Bergevin as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 149.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 10.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 631—An Act relating to towns; limiting the option to establish a town board form of government to towns in smaller counties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 632—An Act relating to securities; excluding sales to less than 35 people from the definition of "public intrastate offering" for the purpose of regulating such offerings; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 278.

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

Motion carried.

Senate Bill No. 301.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 345.

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

Motion carried.

Senate Bill No. 361.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 413.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 43.

The following Senate Amendments were read:

Amendment No. 534.

Amend sec. 3, page 2, by deleting lines 10 through 16 and inserting:

"Sec. 3. (Deleted by amendment.)"

Amend sec. 6, page 2, lines 35 and 36, by deleting ", *recreational vehicles*".

Amend sec. 6, page 3, line 1, by deleting ", *recreational vehicles*".

Amend sec. 6, page 3, line 7, by deleting ", *recreational vehicles*".

Amend sec. 7, page 3, line 19, by deleting: "*sections 2 and 3*" and inserting "*section 2*".

Amend sec. 8, page 3, lines 24 and 25, by deleting: "home, travel trailer , *recreational vehicle*" and inserting "home [, travel trailer]".

Amend sec. 12, page 4, line 28, by deleting ", *recreational vehicle*".

Amend sec. 12, page 4, lines 31 and 32, by deleting ", *recreational vehicle*".

Amend the bill as a whole by adding a new section designated section 12.5, following section 12, to read as follows:

"Sec. 12.5. NRS 489.110 is hereby amended to read as follows:

489.110 "Label of compliance" means a label permanently attached to a mobile home [, travel trailer] or commercial coach at the completion of its construction, under the authority of the division which certifies that the mobile home [, travel trailer] or commercial coach was manufactured in compliance with standards adopted by the division.".

Amend sec. 13, page 4, line 38, by deleting ", *recreational vehicles*".

Amend sec. 14, page 5, lines 7 and 8, by deleting "*recreational vehicle,*".

Amend sec. 16, page 5, lines 16 and 17, by deleting: "*trailer,*" "*new recreational vehicle*" and inserting "*trailer*"".

Amend sec. 16, page 5, line 18, by deleting ", *recreational vehicle*".

Amend sec. 20, page 6, by deleting lines 8 through 10 and inserting: ""travel trailer" or "used commercial coach" means a *manufactured home,* mobile home, travel trailer or commercial coach , *respectively,* which".

Amend sec. 21, page 6, line 22, by deleting ", *recreational vehicles*".

Amend sec. 21, page 6, lines 25 and 26, by deleting ", *recreational vehicle*".

Amend sec. 22, page 6, line 32, by deleting ", *recreational vehicle*".

Amend sec 23, page 7, by deleting line 25 and inserting: "*factured homes,* mobile homes *or travel trailers*".

Amend sec. 23, page 7, lines 29 and 30, by deleting: "homes , *travel trailers or recreational vehicles*" and inserting: "homes *or travel trailers*".

Amend sec. 24, page 8, line 12, by deleting: "*homes,* travel trailers , *recreational vehicles*" and inserting: "*homes* [travel trailers]".

Amend sec. 24, page 8, by deleting lines 18 through 20 and inserting:

"(b) Submission and approval of plans and specifications [; and] *or for the actual inspection and approval of the mobile home, travel trailer or commercial coach or acceptance of a label of*".

Amend sec. 24, page 8, line 23, by deleting the period and inserting "*; and*".

Amend sec. 24, page 8, line 24, by deleting "*(d)*" and inserting "(c)".

Amend sec. 24, page 8, line 25, by deleting "*, recreational vehicles*".

Amend sec. 24, page 8, by inserting between lines 26 and 27:

"*4. Consistent with nationally recognized standards governing the minimum requirements for the design of travel trailers.*".

Amend sec. 28, page 10, line 9, by deleting "*, recreational vehicle*".

Amend sec. 28, page 10, line 12, by deleting "*, recreational vehicle*".

Amend sec. 28, page 10, lines 15 and 16, by deleting "*, recreational vehicle*".

Amend sec. 28, page 10, line 18, by deleting "*, recreational vehicle*".

Amend sec. 28, page 10, line 22, by deleting "*, recreational vehicle*".

Amend the bill as a whole by adding a new section designated section 28.5, following section 28, to read as follows:

"Sec. 28.5. NRS 489.295 is hereby amended to read as follows:

489.295 1. If an inspection reveals that a used manufactured home, mobile home [, travel trailer] or commercial coach is constructed or maintained in violation of this chapter, the division may order its use discontinued and the used manufactured home, mobile home [, travel trailer] or commercial coach, or any portion thereof, vacated.

2. The order to vacate must be served upon the person using the used manufactured home, mobile home [, travel trailer] or commercial coach and copies of the order must also be posted at or upon each exit of the used manufactured home, mobile home [, travel trailer] or commercial coach.

3. The order to vacate must include a reasonable period of time within which the violation may be corrected.

4. No person may occupy or use the used manufactured home, mobile home [, travel trailer] or commercial coach in violation of the order to vacate.".

Amend sec. 29, page 10, line 34, by deleting "*, recreational vehicle*".

Amend the bill as a whole by adding a new section designated section 29.5, following section 29, to read as follows:

"Sec. 29.5. NRS 489.297 is hereby amended to read as follows:

489.297 1. Whenever any construction, rebuilding or other work is performed in violation of this chapter or any regulation adopted pursuant to this chapter, the division may order the work stopped.

2. The order to stop work must be served upon the person doing the work or upon the person causing the work to be done. The person served with the order shall immediately cease the work until authorized by the division to continue it.

3. A copy of the order to stop work must be posted at or upon a recognized entrance of the used manufactured home, mobile home [, travel trailer] or commercial coach.''.

Amend sec. 32, page 12, by deleting lines 6 through 9 and inserting:

''(2) A savings certificate of a bank or savings and loan association situated in Nevada, which must indicate an account of an amount equal to the amount of the required bond and that this amount cannot be''.

Amend sec. 39, page 16, lines 31 and 32, by deleting '', *recreational vehicle*''.

Amend sec. 39, page 17, line 4, by deleting the period and inserting: '', *but before June 15, 1976.*''.

Amend sec. 39, page 17, by deleting lines 7 and 8 and inserting:

''Sec. 39.5. NRS 489.451 is hereby amended to read as follows:

489.451 Every mobile home [, travel trailer,] or commercial coach which is rented, leased or sold or offered for rent, lease or sale in this state must bear a certificate and label of compliance issued by this state if:

1. The mobile home [or travel trailer] was manufactured on or after July 1, 1968, but before June 15, 1976.

2. The commercial coach was manufactured on or after July 1, 1977.''.

Amend sec. 40, page 17, lines 10 and 11 by deleting '', *recreational vehicle*''.

Amend sec. 42, page 17, lines 38 and 39, by deleting '', *recreational vehicles*''.

Amend sec. 43, page 18, line 6, by deleting '', *recreational vehicles*''.

Amend sec. 59, page 23, by deleting line 44 and inserting:

''489.701 *1.* Any mobile home, commercial coach''.

Amend sec. 59, page 24, by inserting between lines 3 and 4:

''*2. Any manufactured home in this state which is rented or leased for residential purposes must be equipped with a smoke detector which meets federal construction and safety standards for manufactured homes in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.).*''.

Amend sec. 62, page 24, by deleting lines 21 through 26 and inserting:

''Sec. 62. (Deleted by amendment.)''.

Amend sec. 65, page 25, lines 3 and 4, by deleting '', *recreational vehicle*''.

Amend sec. 65, page 25, line 5, by deleting '', *recreational vehicle*''.

Amend sec. 65, page 25, line 17, by deleting '', *recreational vehicle*''.

Amend the bill as a whole by adding a new section designated section 65.5, following section 65, to read as follows:

''Sec. 65.5. NRS 489.801 is hereby amended to read as follows:

489.801 1. It is unlawful for any person to manufacture any manufactured home, mobile home, travel trailer or commercial coach unless

the manufactured home, mobile home, travel trailer or commercial coach and its components and systems are constructed and assembled according to the standards prescribed pursuant to the provisions of this chapter.

2. It is unlawful for any person knowingly to sell or offer for sale any manufactured home which has been constructed on or after June 15, 1976, unless the manufactured home and its components and systems have been constructed and assembled according to the standards prescribed pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. §§ 5401 et seq.).

3. Any person who knowingly sells or offers to sell in this state any manufactured home, mobile home [, travel trailer] or commercial coach for which a certificate or label of compliance is required under this chapter, which does not bear a certificate or label of compliance, is liable for the penalties provided in NRS 489.811 and 489.821.

4. It is unlawful for any person to issue a certification which states that a manufactured home conforms to all applicable federal standards for safety and construction if that person, in the exercise of due care, has reason to know that the certification is false or misleading in any material respect.

5. It is unlawful for a manufacturer to fail to furnish notification of defects relating to construction or safety, as required by the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C. § 5414).

6. It is unlawful for any person to fail or refuse to permit access by the administrator to the documentary materials set forth in NRS 489.231.

7. It is unlawful for any person, without authorization from the division, to disclose or obtain the contents of an examination given by the division.

8. It is unlawful for any person to use a manufactured home or mobile home as living quarters or for human occupancy, respectively, if the manufactured home or mobile home violates a standard of safety set forth in regulations adopted pursuant to subsection 1 of NRS 489.251, concerning installation, tiedown, and support of manufactured homes and mobile homes.''.

Amend sec. 66, page 26, by deleting line 2 and inserting:

''489.811 1. Except as provided in subsection 5, any per-''.

Amend sec. 66, page 26, line 21, by deleting the open bracket.

Amend sec. 66, page 26, line 22, by deleting the closed bracket.

Amend sec. 67, page 26, line 39, by deleting the brackets.

Amend sec. 67, page 26, line 40, by deleting ''*subsection 1,*''.

Amend sec. 67, page 26, line 42, by deleting the open bracket.

Amend sec. 67, page 26, line 43, by deleting the closed bracket.

Amend the bill as a whole by adding a new section designated section 69, following section 68, to read as follows:

''Sec. 69. Sections 8, 12.5, 28.5, 29.5, 39.5 and 65.5 shall become effective on July 1, 1985.''.

Amend the title of the bill, by deleting the third line and inserting: ''manufactured homes; provid-''.

Amend the summary of the bill to read as follows: "Provides for regulation of manufactured homes.".

Amendment No. 671.

Amend sec. 38, page 16, by deleting lines 42 through 44 and inserting:

"*5.* Disregarding or violating any provision of this chapter or any regulation adopted under it.".

Amend sec. 67, page 28, by deleting lines 21 through 24 and inserting:

"2. A dealer is guilty of a gross misdemeanor who knowingly:

(a) Fails to maintain a trust account as required by section 2 of [this act.] *Assembly Bill No. 329 of the 62nd session of the legislature.*

(b) Commingles the money or other property of a seller or purchaser of a *manufactured home or a* mobile home with his own.

3. Except as provided in subsections 1 and 4 of this section, any person who knowingly or willfully violates any of the provisions of this chapter is guilty of a misdemeanor.

4. Subsection 3 does not apply to a manufacturer of travel trailers.".

Amend the bill as a whole by adding a new section designated section 67.5, following section 67, to read as follows:

"Sec. 67.5. Section 3 of Assembly Bill No. 329 of the 62nd session of the legislature is hereby amended to read as follows:

A dealer shall not commingle the money or other property of a seller or purchaser of a *manufactured home or a* mobile home with his own.".

Amend sec. 69, page 28, by deleting line 26 and inserting:

"Sec. 69. 1. Sections 38, 67 and 67.5 shall become effective at 12:01 a.m. on July 1, 1983.

2. Sections 8, 12.5, 28.5, 29.5, 39.5 and 65.5 shall become".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendments to Assembly Bill No. 43.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 226.

The following Senate amendments were read:

Amendment No. 444.

Amend sec. 5, page 4, line 27, by deleting "and 7," and inserting "to 8,".

Amend the bill as a whole by adding a new section designated section 8, following section 7, to read as follows:

"Sec. 8. *If an employee who is receiving compensation in a lump sum for a permanent partial disability is subsequently injured by an accident arising out of and in the course of his employment and is entitled to receive compensation for that injury, the lump sum payment for his previous injury is not affected thereby.*".

Amendment No. 582.

Amend the bill as a whole by deleting section 2 and renumbering sections 3 and 4 as sections 2 and 3.

Amend sec. 3, page 4, by deleting lines 12 and 13 and inserting:

"616.620 Except as provided by section 4 of [this act] *Assembly Bill No. 278 of the 62nd session* and NRS 616.615, the insurer shall not make or allow any lump-".

Amend the bill as a whole, by deleting section 5 and renumbering section 6 as section 4.

Amend sec. 6, pages 4 and 5, by deleting lines 28 through 43 on page 4 and lines 1 through 20 on page 5 and inserting:

"Sec. 4. Section 4 of Assembly Bill No. 278 of the 62nd session is hereby amended to read as follows:

1. An award for a permanent partial disability may be paid in a lump sum under the following conditions:

(a) A claimant injured on or after July 1, 1973, and before July 1, 1981, who incurs a disability that does not exceed 12 percent may elect to receive his compensation in a lump sum. A claimant injured on or after July 1, 1981, who incurs a disability [may elect to receive a payment in a lump sum of:

(1) Twenty-five percent of the present value of the compensation for his permanent partial disability; or

(2) The present value of the compensation for his permanent partial disability, but not more than $10,000.

(b) A claimant injured on or after July 1, 1973, may, upon demonstration of a need which is substantiated by a comprehensive evaluation of possible rehabilitation, be authorized by the insurer to receive his compensation in a lump sum.

(c)] *that does not exceed 25 percent may elect to receive his compensation in a lump sum.*

(b) The spouse, or in the absence of a spouse, any dependent child of a deceased claimant injured on or after July 1, 1973, who is not entitled to compensation in accordance with NRS 616.615, is entitled to a lump sum equal to the present value of the deceased claimant's undisbursed award for a permanent partial disability.

2. [The department shall adopt regulations concerning the manner in which a comprehensive evaluation of possible rehabilitation will be conducted and defining the factors to be considered in the evaluation required to substantiate the need for a lump sum settlement.] *If the claimant elects to receive his payment for a permanent partial disability in a lump sum, all of his benefits for compensation terminate. His acceptance of that payment constitutes a final settlement of all factual and legal issues in the case. By so accepting he waives all of his rights regarding the claim, including the right to appeal from the closure of the case or the percentage of his disability, except:*

(a) His right to reopen his claim according to the provisions of NRS 616.545; and

(b) Any services for counseling, training or rehabilitation provided by the insurer.

The claimant must be advised in writing of the provisions of this subsection when he demands his payment in a lump sum, and has 20 days after the mailing or personal delivery of this notice within which to retract or reaffirm his demand, before payment may be made and his election becomes final.

3. Any lump sum payment which has been paid on a claim incurred on or after July 1, 1973, must be supplemented if necessary to conform to the provisions of this section.

4. The total lump sum payment for disablement must not be less than one-half the product of the average monthly wage multiplied by the percentage of disability.

5. The lump sum payable must be equal to the present value of the compensation awarded, less any advance payment or lump sum previously paid. The present value is calculated using monthly payments in the amounts prescribed in subsection 4 of NRS 616.605 and actuarial annuity tables adopted by the department. The tables must be reviewed annually by a consulting actuary.''.

Amend the bill as a whole, by deleting section 7 and renumbering section 8 as section 5.

Amend sec. 8, page 5, by deleting line 31 and inserting:

''Sec. 5. Chapter 616 of NRS is hereby amended by adding thereto a new section which shall read as follows:

If an employee who is receiving compensation in a lump''.

Amend the bill as a whole by adding a new section designated section 6, following section 8, to read as follows:

''Sec. 6. Sections 2 and 4 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Amendment No. 675.

Amend sec. 5, page 3, line 39, by deleting ''*is receiving*'' and inserting ''*has received*''.

Amend sec. 5, page 3, by deleting lines 41 through 43 and inserting: ''*ing out of and in the course of his employment and is thereby entitled to receive compensation for a temporary total disability, the compensation for the subsequent injury may not be reduced because of the receipt of the lump sum payment if the subsequent injury is distinct from the previous injury.*''.

Assemblyman Banner moved that the Assembly concur in the Senate amendments to Assembly Bill No. 226.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

Assembly Joint Resolution No. 22.

The following Senate amendment was read:

Amendment No. 668.

Amend the title of the resolution, first and second lines, by deleting: ''at Rye Patch Reservoir''.

Amend the summary of the bill to read as follows: "Requests conveyance of certain land to Pershing County water conservation district.".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Joint Resolution No. 22.

Remarks by Assemblyman Thompson.

Motion carried.

Resolution ordered enrolled.

Assembly Bill No. 317.

The following Senate amendment was read:

Amendment No. 702.

Amend the bill as a whole by renumbering section 1 as section 3 and adding new sections designated sections 1 and 2, preceding section 1, to read as follows:

"Section 1. Chapter 706 of NRS is hereby amended by adding thereto a new section which shall read as follows:

A common motor carrier who enters into an agreement for the purchase of its service by an incorporated city, county or regional transportation commission is not required to obtain a certificate of public convenience and necessity to operate a system of public transit consisting of regular routes and fixed schedules. Under such an agreement, the public entity shall establish the routes and fares and provide for any required safety inspections.

Sec. 2. NRS 706.011 is hereby amended to read as follows:

706.011 As used in NRS 706.016 to 706.791, inclusive, *and section 1 of this act,* the words and terms defined in NRS 706.016 to 706.146, inclusive, have the meanings ascribed to them [therein,] *in those sections,* unless the context otherwise requires.".

Amend section 1, page 1, line 3, by deleting "*710.395*" and inserting: "*710.395, section 1 of this act*".

Amend the bill as a whole, by deleting section 2 and renumbering section 3 as section 4.

Assemblyman Coffin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 317.

Remarks by Assemblyman Coffin.

Motion carried.

Bill ordered enrolled.

SECOND READING AND AMENDMENT

Senate Bill No. 299.

Bill read second time and ordered to third reading.

Senate Bill No. 334.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 16.

Resolution read second time and ordered to third reading.

Assembly Bill No. 534.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 784.

Amend section 1, page 1, line 1, before "At" by inserting "1.".

Amend section 1, page 1, by inserting after line 9:

"2. No more than one-fourth of the proceeds of bonds issued at any one time may be used to purchase land which is a present, as distinct from a potential, source of pollution for Lake Tahoe.".

Amend sec. 4, page 2, line 28, by deleting "1985"" and inserting "1986.".

Amend sec. 4, page 2, line 29, by deleting "1986." and inserting "1987.".

Amend sec. 5, page 2, line 32, by deleting "interim finance committee" and inserting: "state board of examiners".

Amend sec. 5, page 2, by deleting lines 33 through 35 and inserting: "lands in the Tahoe Basin should be commenced, the board may:

(a) Issue a sufficient amount of the".

Amend sec. 5, page 2, line 37, by deleting "The" and inserting "Direct the".

Amend sec. 5, page 2, lines 40 and 41, by deleting "interim finance committee" and inserting: "state board of examiners".

Amend sec. 6, page 3, line 4, by deleting "interim finance committee" and inserting: "state board of examiners".

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 548.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 807.

Amend the bill as a whole by deleting sections 1 and 2 and renumbering section 3 as section 1.

Amend sec. 3, page 3, line 35, by deleting the brackets.

Amend sec. 3, page 3, by deleting line 36 and inserting: "consists of [nine] *11* members who are appointed as".

Amend sec. 3, page 3, line 43, by deleting "four" and inserting "[four] *six*".

Amend sec. 3, page 4, by deleting lines 18 through 29.

Amend sec. 3, page 4, line 30, by deleting "*(2)*" and inserting "*(5)*".

Amend sec. 3, page 4, by deleting line 38 and inserting: "paragraph (d) of subsection 1 [, two members".

Amend sec. 3, page 4, line 43, after "vacant." by inserting: "*Each member appointed pursuant to paragraph (d) of subsection 1 may succeed himself only once.*".

Amend sec. 3, page 5, line 4, by deleting the bracket.

Amend sec. 3, page 5, line 6, by deleting the bracket.

Amend the bill as a whole by deleting sections 4 through 33.

Amend the title of the bill to read as follows:

"An Act relating to county fair and recreation boards; changing the composition of the boards for certain counties; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Changes composition of certain county fair and recreation boards.".

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

Assemblyman Nicholas moved that Assembly Bill No. 548 be rereferred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and engrossed.

Senate Bill No. 65.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 802.

Amend sec. 2, page 2, line 35, by deleting "[shall] *must* be" and inserting "is the".

Amend sec. 2, page 2, line 38, by deleting the period and inserting: ", but the board may not charge any amount to an applicant for a finding of suitability to be associated with a gaming enterprise pursuant to paragraph (a) of subsection 2 of NRS 463.167.".

Amend sec. 2, page 2, line 41, by deleting "[moneys] *money*" and inserting "money".

Amend sec. 2, page 2, line 43, by deleting "[shall] *must*" and inserting "must".

Amend sec. 2, page 3, line 3, by deleting "shall" and inserting "must".

Amend sec. 2, page 3, line 7, by deleting "[shall] *must*" and inserting "must".

Amend the bill as a whole by renumbering section 42 as section 44 and adding new sections, designated sections 42 and 43, following section 41, to read as follows:

"Sec. 42. Section 1 of Assembly Bill No. 101, being chapter 72 of Statutes of Nevada 1983, is hereby amended to read as follows:

NRS 636.075 is hereby amended to read as follows:

636.075 1. [A] Each member of the board is entitled to receive:

(a) A salary of not more than $60 per day, as fixed by the board, while engaged in the business of the board.

(b) Actual expenses for subsistence and lodging, not to exceed [$25] *$60* per day, and actual expenses for transportation, while traveling on business of the board.

2. Compensation and expenses of members are payable out of the

money derived from fees paid or transmitted to the board under the provisions of this chapter and no part thereof may be paid out of the state treasury.

Sec. 43. Section 1 of Assembly Bill No. 267, being chapter 140 of Statutes of Nevada 1983, is hereby amended to read as follows:

Section 1. NRS 645.140 is hereby amended to read as follows:

645.140 1. Except as provided in this section, all fees, penalties and charges received by the division [,] pursuant to NRS 645.660 and 645.830 must be deposited with the state treasurer for credit to the state general fund. The fees received by the division [for each real estate broker's and real estate salesman's examination and] from the sale of publications must be retained by the division to pay the costs of [examining the applicants and] printing and distributing publications, and any surplus must be deposited with the state treasurer for credit to the state general fund. Money for the support of the division must be provided by direct legislative appropriation, and be paid out on claims as other claims against the state are paid.

2. Each member of the commission is entitled to receive:

(a) A salary of not more than $60 per day, as fixed by the commission, while engaged in the business of the commission.

(b) The per diem allowance and travel expenses provided by law.''.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 59; Senate Bills Nos. 8, 27, 292; Assembly Joint Resolution No. 28.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Ham, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Emma Poeter.

Assemblyman Jeffrey moved that the Assembly adjourn until Saturday, May 7, 1983, at 10:45 a.m.

Motion carried.

Assembly adjourned at 12:23 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND ELEVENTH DAY

CARSON CITY (Saturday), May 7, 1983

Assembly called to order at 10:45 a.m.
Mr. Speaker presiding.

Mr. Speaker announced that pursuant to Assembly Standing Rule No. 1, Section 2, subsection (d), Assemblyman May would act as presiding officer.

Assemblyman May presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all,
It is written,
"I will extol thee, my God and King, and bless your name for ever and ever. Every day I will bless thee, and praise thy name for ever and ever. (Ps. 145)"
We praise you this day, O Lord, our God and King.
We ask that you grant to these thy servants—and ours—this day a proper sense of thy greatness, that when it is over, they may merit your praise for a job well-done and know that you were the one who enabled them to do it.
Lord, in your mercy, hear this our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 350, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 314, 315, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 46, consisting of the undersigned members, has met, and reports that:
It has agreed to recommend that the amendment of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 2 C, which is attached to and hereby made a part of this report.

JAMES H. BILBRAY	JANSON F. STEWART
HELEN A. FOLEY	BYRON (BILL) BILYEU
BOB RYAN	COURTENAY SWAIN
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 2 C.

Amend section 1, pages 1 and 2 by deleting lines 11 through 17 on page 1 and lines 1 through 8 on page 2 and inserting:

"2. [Where there is only one justice of the peace in any county and he, in consequence of ill health, absence from his township, or other cause,] *Whenever any justice of the peace, in consequence of having too many or too lengthy matters before him,* is prevented from [attending] *timely attention* to his official duties, he may *,with the consent of the board of county commissioners,* invite any other duly qualified justice of the peace of [some other] *the same or another* county to attend to *some or all of* his official duties, including those of registry agent , [. If he does not invite such a justice of the peace, the board of county commissioners may do so. A temporary vacancy resulting from absence, disability or other cause must not be so filled] for *no* more than 30 days at any one time.

3. A justice of the peace *from another county* temporarily acting in the place of another justice of the peace has no claim for services rendered by him under this section against the county in which he [may so temporarily reside.] *serves except for his necessary traveling expenses.*".

Amend the title of the bill to read:

"An Act relating to the justices' courts; authorizing a justice of the peace to provide for a substitute from any county; authorizing the temporary addition of another justice of the peace when work so requires; providing for traveling expenses for justices of the peace who fill temporary vacancies outside their counties; and providing other matters properly relating thereto.".

Assemblyman Stewart moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 46.

Remarks by Assemblyman Stewart.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 189, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 1 C, which is attached to and hereby made a part of this report.

THOMAS R. WILSON	JANSON F. STEWART.
HELEN A. FOLEY	LEONARD V. NEVIN
SUE WAGNER	GENE COLLINS
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 1 C.

Amend sec. 3, page 2, by deleting lines 1 through 4 and inserting:

"Sec. 3. *A person who knowingly promotes a performance of a minor*".

Amend sec. 3, page 2, line 6, by deleting "*orsimulate*" and inserting "*or simulate*".

Amend sec. 4, page 2, line 8, by deleting", *firm, association or corporation*".

Amend the bill as a whole by adding a new section, designated as section 8.5, following section 8, to read as follows:

"Sec. 8.5. NRS 193.010 is hereby amended to read as follows:

193.010 In construing the provisions of Title 16 of NRS, save when otherwise plainly declared or clearly apparent from the context, the following rules [shall] *must* be observed:

1. "Boat" [shall include] *includes* ships, steamers and other structures adapted to navigation or movement from place to place by water.

2. "Bond" [shall include] *includes* an undertaking.

3. "Break," when used in connection with the crime of burglary, [shall include:] *includes:*

(a) Breaking or violently detaching any part, internal or external, of a building.

(b) Opening, for the purpose of entering therein, any outer door of a building or of any room, apartment or set of apartments therein separately used and occupied, or any window, shutter, scuttle or other thing used for covering or closing any opening thereto or therein, or which gives passage from one part thereof to another.

(c) Obtaining entrance into such building or apartment by any threat or artifice, used for that purpose, or by collusion with any person therein.

(d) Entering such building, room or apartment by or through any pipe, chimney or other opening, or by excavating or digging through or under a building or the walls or foundation thereof.

4. "Building" [shall include] *includes* every house, shed, boat, watercraft, railway car, tent or booth, whether completed or not, suitable for affording shelter for any human being, or as a place where any property is or shall be kept for use, sale or deposit.

5. "Corrupt" and "corruptly" [shall] import a wrongful desire to acquire or cause some pecuniary or other advantage to himself or another, by the person to whom applicable.

6. "Daytime" [shall include] *includes* the period between sunrise and sunset.

7. "Dwelling house" [shall include] *includes* every building or structure which [shall have] *has* been usually occupied by a person lodging therein at night, and whenever it [shall be] *is* so constructed as to consist of two or more parts or rooms occupied or intended to be occupied, whether permanently or temporarily, by different tenants separately by usually lodging therein at night, or for any other separate purpose, each part shall be deemed a separate dwelling house of the tenant occupying [the same.] *it.*

8. "Enter," when constituting an element or part of a crime, [shall include] *includes* the entrance of the offender, or the insertion of any part of his body, or of any instrument or weapon held in his hand and

used or intended to be used to threaten or intimidate a person, or to detach or remove property.

9. "Indicted" and "indictment" [shall] include "informed against" and "information"; and "informed against" and "information" [shall] include "indicted" and "indictment."

10. "Judge" [shall include] *includes* every judicial officer authorized, alone or with others, to hold or preside over a court of record.

11. "Jurors" [shall] include a talesman, and extend to jurors in all courts, whether of record or not.

12. "Knowingly" imports a knowledge that the facts exist which constitute the act or omission of a crime, and does not require knowledge of its unlawfulness; knowledge of any particular fact may be inferred from the knowledge of such other facts as should put an ordinarily prudent man upon inquiry.

13. "Malice" and "maliciously" [shall] import an evil intent, wish or design to vex, annoy or injure another person. Malice may be inferred from an act done in willful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission of duty betraying a willful disregard of social duty.

14. "Neglect," "negligence," "negligent," and "negligently" [shall] import a want of such attention to the nature or probable consequences of an act or omission as an ordinarily prudent man usually exercises in his own business.

15. "Nighttime" [shall include] *includes* the period between sunset and sunrise.

16. "Officer" and "public officer" include all officers, members and employees of:

(a) The State of Nevada;

(b) Any political subdivision of this state;

(c) Any other special district, public corporation or quasi-public corporation of this state; and

(d) Any agency, board or commission established by this state or any of its political subdivisions,

and all persons exercising or assuming to exercise any of the powers or functions of a public officer.

17. "Owner" of any property includes any person who has a general or special property in the whole or any part thereof, or lawful possession thereof, either actual or constructive.

18. "Person" [shall include a corporation or joint-stock association;] *includes a natural person, any form of business or social organization, and any other legal entity,* and whenever it is used to designate a party whose property may be the subject of an offense it [shall also include the] *also includes this* state [,] or any other state, government or country which may lawfully own property within this state.

19. "Personal property" [shall include] *includes* dogs and all domestic animals and birds, water, gas and electricity, all kinds or descriptions of money, chattels and effects, all instruments or writings completed and ready to be delivered or issued by the maker, whether actually delivered or issued or not, by which any claim, privilege, right, obligation or authority, or any right or title to property, real or

personal, is or purports to be, or upon the happening of some future event may be evidenced, created, acknowledged, transferred, increased, diminished, encumbered, defeated, discharged or affected, and every right and interest therein.

20. "Prison" [shall mean] *means* any place designated by law for the keeping of persons held in custody under process of law, or under lawful arrest.

21. "Prisoner" [shall include] *includes* any person held in custody under process of law, or under lawful arrest.

22. "Property" [shall include] *includes* both real and personal property.

23. "Railway" or "railroad" [shall include] *includes* all railways, railroads and street railways, whether operated by steam, electricity or any other motive power.

24. "Real property" [shall include] *includes* every estate, interest and right in lands, tenements and hereditaments, corporeal or incorporeal.

25. "Signature" [shall include] *includes* any memorandum, mark or sign made with intent to authenticate any instrument or writing, or the subscription of any person thereto.

26. "Writing" [shall include] *includes* printing.".

Assemblyman Stewart moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 189.

Remarks by Assemblyman Stewart.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that Assembly Joint Resolution No. 3 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Sedway.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 633—An Act relating to the travel advance fund; authorizing the repayment of unpaid advances from the reserve for statutory contingency fund; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Fay:

Assembly Bill No. 634—An Act relating to employers; requiring certain employers to post bond covering their payroll as a condition of being granted business licenses; and providing other matters properly relating thereto.

Assemblyman Fay moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 179.
Bill read second time and ordered to third reading.

Senate Bill No. 211.
Bill read second time and ordered to third reading.

Senate Bill No. 241.
Bill read second time and ordered to third reading.

Senate Bill No. 275.
Bill read second time and ordered to third reading.

Senate Joint Resolution No. 17.
Resolution read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 596, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 262, 379, 380, 398, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass

ROGER BREMNER, *Chairman*

Assemblyman May announced that if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 10:58 a.m.

ASSEMBLY IN SESSION

At 11:10 a.m.
Assemblyman May presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which were referred Assembly Bill No. 256; Senate Bill No. 230, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Economic Development, Tourism and Mining:

Assembly Bill No. 635—An Act relating to economic development; providing for the organization, powers and functions of corporations for economic revitalization and diversification; providing for their regulation; authorizing certain financial institutions and Nevada corporations to become members of, lend money to and invest in those corporations; and providing other matters properly relating thereto.

Assemblyman Price moved that the bill be referred to the Committee on Economic Development, Tourism and Mining.

Motion carried.

By the Committee on Commerce:

Assembly Bill No. 636—An Act relating to the rental of individual spaces for the storage of personal property; providing for the attachment of a lien for the rent or other charges on those spaces; and providing other matters properly relating thereto.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 637—An Act relating to property taxes; providing for credit for an early payment of a quarterly installment to offset a penalty for a late payment; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation (by request):

Assembly Bill No. 638—An Act relating to vehicles; providing additional circumstances under which they may be removed from highways; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation (by request):

Assembly Bill No. 639—An Act relating to vehicular traffic; defining "disabled vehicle" for the purposes of enforcing the traffic laws; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation (by request):

Assembly Bill No. 640—An Act relating to the department of motor vehicles; permitting the files of the department to be opened for commercial use; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation (by request):

Assembly Bill No. 641—An Act relating to traffic; specifying the manner for making turns other than at an intersection; requiring that a driver who is making a left turn yield to all traffic from the opposite direction; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation (by request):

Assembly Bill No. 642—An Act relating to missing persons; transferring records of missing persons and unidentifiable dead bodies to the investigation division of the department of motor vehicles; and providing other matters properly relating thereto.

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

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 7, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 174, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 407.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 260.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bogaert moved that Assembly Joint Resolution No. 4 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation (by request):

Assembly Bill No. 643—An Act relating to the regulation of traffic; prohibiting the operation of motor vehicles and bicycles while wearing headphones; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Stewart:

Assembly Bill No. 644—An Act relating to financial records; extending to all financial institutions the requirement for limited disclosure of customers' financial records for law enforcement purposes; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 596.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 819.

Amend sec. 4, page 2, by deleting line 4 and inserting: "pursuant to NRS 377A.030. *The board of county commissioners of any county whose population is less than 250,000 may enact an ordinance imposing a tax to promote tourism pursuant to NRS 377A.030. A board*".

Amend the title of the bill, first line, after "authorizing" by inserting "certain".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 256.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 816.

Amend the bill as a whole by deleting sections 1 and 2 and inserting:

"Section 1. Chapter 364 of NRS is hereby amended by adding thereto a new section which shall read as follows:

The Nevada tax commission shall by regulation not inconsistent with the provisions of sections 3 and 7 of Senate Bill No. 170 of this session provide for the collection and enforcement of the tax imposed pursuant to those sections. Those regulations must include:

1. A procedure for making refunds and resolving disputes relating to the tax, including exemption pertaining thereto; and

2. Requirements for keeping records and provisions concerning their inspection and investigation.

Sec. 2. Any defect or informality in the imposition of, or any failure of the governing body of a county or city to impose, the tax required by sections 3 and 7 of Senate Bill No. 170 of this session does not prevent the tax from becoming effective on May 9, 1983, at the rate and on the subjects prescribed in those sections.

Sec. 3. This act shall become effective upon passage and approval.".

Amend the title of the bill to read:

"An Act relating to taxation; providing for the imposition of a certain tax on lodgings on a certain date notwithstanding any defect, failure or informality of local actions; providing for related regulations; and providing other matters properly relating thereto.".

Amend the summary of the bill to read: "Provides for immediate effectiveness of tax on lodging.".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 230.
Bill read second time.
The following amendment was proposed by the Committee on Taxation:
Amendment No. 812.
Amend section 1, page 1, line 6, after "total" by inserting "*assessed*".
Amend section 1, page 1, by deleting lines 10 and 11 and inserting:
"*(c) Itemizing, separately for each property owner, the rate of tax applicable to him which is levied for each local government, debt service*".
Amend section 1, page 1, by deleting line 13 and inserting: "*the total rate of tax levied upon his property is shown.*".
Assemblyman Schofield moved the adoption of the amendment.
Remarks by Assemblyman Schofield.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 260.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Taxation.
Motion carried.

Senate Bill No. 407.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Transportation.
Motion carried.

Assemblyman May announced that if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 11:28 a.m.

ASSEMBLY IN SESSION

At 11:30 a.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 227.
Bill read third time.
Remarks by Assemblyman Craddock.

Roll call on Assembly Bill No. 227:

YEAS—41.

NAYS—Stewart.

Assembly Bill No. 227 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 538.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Assembly Bill No. 538:

YEAS—42.

NAYS—None.

Assembly Bill No. 538 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 569.

Bill read third time.

Remarks by Assemblyman Kovacs.

Roll call on Assembly Bill No. 569:

YEAS—31.

NAYS—Banner, Bergevin, Berkley, Bourne, Humke, Jeffrey, Malone, Nevin, Stone, Swain, Thompson—11.

Assembly Bill No. 569 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 573.

Bill read third time.

Remarks by Assemblyman Bourne.

Roll call on Assembly Bill No. 573:

YEAS—42.

NAYS—None.

Assembly Bill No. 573 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 531.

Bill read third time.

Remarks by Assemblymen Jeffrey and Collins.

Assemblyman Collins moved that Assembly Bill No. 531 be taken from the General File and placed on the Chief Clerk's desk.

Motion lost.

Roll call on Assembly Bill No. 531:

YEAS—37.

NAYS—Chaney, Collins, Ham, Sedway, Thomas—5.

Assembly Bill No. 531 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 299.
Bill read third time.
Remarks by Assemblyman Berkley.
Roll call on Senate Bill No. 299:
YEAS—42.
NAYS—None.
Senate Bill No. 299 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 334.
Bill read third time.
Remarks by Assemblyman Ham.
Roll call on Senate Bill No. 334:
YEAS—42.
NAYS—None.
Senate Bill No. 334 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 16.
Resolution read third time.
Remarks by Assemblymen May, Fay and Thomas.
Roll call on Senate Joint Resolution No. 16:
YEAS—42.
NAYS—None.
Senate Joint Resolution No. 16 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Senate Bill No. 65.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Senate Bill No. 65:
YEAS—42.
NAYS—None.
Senate Bill No. 65 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 4.
Resolution read third time.
The following amendment was proposed by Assemblyman Price:
Amendment No. 817.
Amend the resolution, page 1, line 13, after "*January.*" by inserting: "*During the session in an even-numbered year, the legislature shall consider only matters which relate to the revenues, appropriations and authorized expenditures of the state.*".
Assemblyman Price moved the adoption of the amendment.
Remarks by Assemblymen Price, Bogaert, Sader and Nicholas.

Assemblymen Schofield, Thomas, and Zimmer requested a roll call on Assemblyman Price's motion.

Roll call on Assemblyman Price's motion:

YEAS—18.

NAYS—Banner, Bergevin, Beyer, Bilyeu, Bogaert, Bourne, Bremner, Dini, DuBois, Fay, Getto, Joerg, Kerns, Kovacs, Malone, Marvel, Nevin, Redelsperger, Sader, Stone, Swain, Thomas, Zimmer—23.

Not voting—May.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

Remarks by Assemblymen Bilyeu, Bogaert, Thomas, Chaney, DuBois, Kovacs and Collins.

Roll call on Assembly Joint Resolution No. 4:

YEAS—22.

NAYS—Bergevin, Beyer, Bilyeu, Bremner, Chaney, Coffin, DuBois, Getto, Jeffrey, Joerg, Marvel, May, Nevin, Redelsperger, Sader, Stewart, Stone, Swain, Thomas, Zimmer—20.

Assembly Joint Resolution No. 4. having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the vote whereby Assembly Bill No. 488 was refused passage be rescinded.

Assemblymen Jeffrey, Dini and Humke requested a roll call on Assemblyman Jeffrey's motion.

Roll call on Assemblyman Jeffrey's motion:

YEAS—27.

NAYS—Beyer, Brady, Bremner, Chaney, Coffin, Collins, DuBois, Fay, Ham, Malone, Nicholas, Perry, Price, Sedway, Stewart—15.

The motion having received a majority, Mr. Speaker declared it carried.

Assemblyman Coffin moved that Assembly Bill No. 488 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Coffin.

Motion lost.

GENERAL FILE AND THIRD READING

Assembly Bill No. 488.

Bill read third time.

Remarks by Assemblymen Joerg, Coffin, Thomas, Craddock and Fay.

Roll call on Assembly Bill No. 488:

YEAS—26.

NAYS—Beyer, Brady, Bremner, Chaney, Coffin, Collins, DuBois, Fay, Francis, Ham, Nicholas, Price, Sedway, Stewart, Stone, Mr. Speaker—16.

Assembly Bill No. 488 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that for the balance of the session, all rules be suspended, reading so far had considered second reading and that all Senate bills and joint resolutions reported out of committee without amendments be declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that for the balance of the session, all rules be suspended, reading so far had considered second reading, rules further suspended and that all Assembly bills and joint resolutions reported out of committee without amendments be considered engrossed, declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 43, 48, 57, 226, 317, 326, 346, 347, 386, 392, 411, 509, 540; Senate Bill No. 61; Assembly Joint Resolution No. 22; Assembly Concurrent Resolutions Nos. 42, 43, 44.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Nevin, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jason Ames, Ms. Debbie Ames, Pauline Creighton and Cindy Lou Creighton.

On request of Assemblyman Chaney the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Lonnie Chaney, Jr. and Ms. Marlynn Johnson.

Assemblyman Jeffrey moved that the Assembly adjourn until Monday, May 9, 1983, at 10:45 a.m.

Motion carried.

Assembly adjourned at 12:18 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND THIRTEENTH DAY

CARSON CITY (Monday), May 9, 1983

Assembly called to order at 11 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Terry W. Arnold.

Father in Heaven, we thank you for this day. We thank you for these days which you have given us to complete our work. We realize, as the time draws near, that the sense of urgency sometimes turns to anxiety and tension. Father, we pray that in these last few days you would give us a sense not of anxiety but of expectancy and confidence. Father, help us to perform those tasks that you have given us with diligence, with excitement and with competence, for it is in your name that we pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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, May 7, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 417, 423, 429, 507, 522.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 305, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 46.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 189.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 16.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 347.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 232, 280.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to concur in the Assembly amendment to Senate Bill No. 273.

MAE LOFTHOUSE
Assistant Secretary of the Senate

Senate Chamber, Carson City, May 9, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolutions Nos. 24, 25.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Joint Resolution No. 24.

Assemblyman Nicholas moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

Senate Joint Resolution No. 25.

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

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 347.

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

Motion carried.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Chaney moved that the Assembly do not recede from its action on Senate Bill No. 273, that a conference be requested, and that Mr. Speaker appoint a first Committee on Conference consisting of three members to meet with a like committee of the Senate.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Humke, Nicholas and Perry as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 273.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Nevin moved that Assembly Bill No. 366 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Nevin.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 329, 332, 337, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 256.

Bill read third time.

Remarks by Assemblyman Price.

Roll call on Assembly Bill No. 256:

YEAS—42.

NAYS—None.

Assembly Bill No. 256 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assemblyman Bremner moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:10 a.m.

ASSEMBLY IN SESSION

At 11:15 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 596.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 596:

YEAS—42.

NAYS—None.

Assembly Bill No. 596 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 179.

Bill read third time.

Remarks by Assemblymen Getto, Sedway, Craddock, Stone, Nevin, Thomas, Price, Redelsperger, Swain, Collins, Bogaert and Kerns.

Roll call on Senate Bill No. 179:

YEAS—35.

NAYS—Collins, Craddock, Francis, May, Nevin, Perry, Mr. Speaker—7.

Senate Bill No. 179 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 211.

Bill read third time.

Remarks by Assemblymen Stone, Thomas and Bilyeu.

Roll call on Senate Bill No. 211:

YEAS—37.

NAYS—Bourne, Dini, Jeffrey, May, Thomas—5.

Senate Bill No. 211 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 241.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Senate Bill No. 241:
YEAS—40.
NAYS—Ham, Kovacs—2.
Senate Bill No. 241 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 275.
Bill read third time.
Remarks by Assemblyman Bogaert.
Roll call on Senate Bill No. 275:
YEAS—42.
NAYS—None.
Senate Bill No. 275 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 17.
Resolution read third time.
Remarks by Assemblymen Bogaert and May.
Roll call on Senate Joint Resolution No. 17:
YEAS—35.
NAYS—Coffin, Collins, May, Price, Stewart, Thomas, Zimmer—7.
Senate Joint Resolution No. 17 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Senate Bill No. 230.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 230:
YEAS—42.
NAYS—None.
Senate Bill No. 230 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 366.
Bill read third time.
The following amendment was proposed by Assemblyman Nevin:
Amendment No. 836.
Amend the bill as a whole by deleting line 37 on page 2 and adding a new section, designated section 5, following section 4, to read as follows:
"Sec. 5. Section 5.010 of the charter of the City of Sparks, being chapter 470, Statutes of Nevada 1975, at page 736, is hereby amended to read as follows:

Sec. 5.010 General municipal elections.

1. A general municipal election [shall] *must* be held in the city on the 1st Tuesday after the 1st Monday in June [1975, and on the same day every 4 years thereafter, at which time there shall be elected one mayor, one city clerk, councilmen as hereinbefore provided, one city attorney and one municipal judge.] *of each odd-numbered year after 1986.*

2. Except as provided in subsection 3, the elective officers of the city shall serve terms of 4 years and until their successors have been elected and qualified.

3. The persons who, on June 7, 1987, are elected to serve as:

(a) The councilmen from the first, third and fifth wards;

(b) The city attorney; and

(c) The municipal judge for the first department of the court which was established,

shall serve terms of 2 years and until their successors have been elected and qualified.

4. All candidates at the general municipal election [shall] *must* be voted upon by the electors of the city at large.''.

Amend the title of the bill, second line, by deleting ''court;'' and inserting: ''court, and to provide for staggering the terms of the elective officers;''.

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblymen Nevin, Stone and Bourne.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 329.

Bill read third time.

Remarks by Assemblyman Berkley.

Roll call on Senate Bill No. 329:

YEAS—42.

NAYS—None.

Senate Bill No. 329 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 332.

Bill read third time.

Remarks by Assemblyman Swain.

Roll call on Senate Bill No. 332:

YEAS—42.

NAYS—None.

Senate Bill No. 332 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 337.

Bill read third time.

Remarks by Assemblymen Stone and Price.

Roll call on Senate Bill No. 337:

YEAS—40.

NAYS—Sedway.

Not voting—Dini.

Senate Bill No. 337 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Commerce, to which was referred Assembly Bill No. 273, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 273, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 261, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 416, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 151, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Government Affairs.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 295, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Assembly Joint Resolution No. 31; Senate Joint Resolution No. 20, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 496, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT G. CRADDOCK, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 9, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 256.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 28, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

KEITH C. ASHWORTH	JOSEPH E. DINI, JR.
JAMES I. GIBSON	JOHN E. (JACK) JEFFREY
SUE WAGNER	BOB L. KERNS
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Dini moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 28.

Motion carried.

Assemblyman Bremner moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:55 a.m.

ASSEMBLY IN SESSION

At 12:02 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 151

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 845.

Amend sec. 2, page 3, by deleting line 17 and inserting:

"*(d) A provision for the transfer of title to the dedicated land upon the issuance of building permits and the construction of the first unit of the subdivision or development from which the land was dedicated. The ordinance may also contain a provision allowing an increase in the number of dwelling units.*".

Amend sec. 2, page 3, by deleting lines 22 through 24.

Amend sec. 2, page 3, by deleting lines 31 through 32 and inserting:

"*3. When 25 percent of the property is developed within the subdivision or development from which the land was dedicated, the local governing body*".

Amend sec. 2, page 3, by deleting lines 38 through 43 and inserting:

"*4.* If *a park or playground has not been developed on the land dedicated for that purpose* within 3 years after the date on which 75 percent of the residential dwelling units authorized within [a particular] *that* subdivision or development [or, if created, a park district or service area] first become occupied [:

(a) A park or playground has not been developed on the land dedicated for that purpose, title to such land shall revert] *, title to the land*".

Amend sec. 3, page 5, by deleting lines 8 through 14 and inserting:

"*6. If a park or playground has not been developed in the park district or service area created to serve the neighborhood in which the subdivision or development is located within 3 years after the date on which 75 percent of the residential dwelling units authorized within that subdivision or development first became occupied, all money paid by the subdivider or developer, together with interest at the rate of 10 percent per year, must be refunded to the owners of the lots in the subdivision or development at*".

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.

Assemblyman Dini moved that Assembly Bill No. 151 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and re-engrossed.

Assembly Joint Resolution No. 31.

Resolution read third time.

Remarks by Assemblyman May.

Roll call on Assembly Joint Resolution No. 31:

YEAS—41.

NAYS—Stone.

Assembly Joint Resolution No. 31 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 20.

Resolution read third time.

Remarks by Assemblyman Getto.

Roll call on Senate Joint Resolution No. 20:

YEAS—42.

NAYS—None.

Senate Joint Resolution No. 20 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 353, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Assembly Bills Nos. 273, 416, 496; Senate Bills Nos. 261, 295 and Assembly Bill No. 353 be taken from their positions on the Second Reading File and placed at the top of the Second Reading File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 273.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 813.

Amend section 1, page 2, line 3, after "*employ*" by inserting "*or contract with*".

Amend section 1, page 2, line 7, after "*inclusive,*" by inserting: "*and section 1.1 of this act*".

Amend the bill as a whole by inserting new sections, designated as sections 1.1, 1.2 and 1.3, following section 1, to read:

"Sec. 1.1. Chapter 449 is hereby amended by adding thereto a new section which shall read as follows:

The commissioner may, by regulation, impose fees upon health and care facilities and admitted health insurers to cover the costs of carrying out the provisions of NRS 449.440 to 449.530, inclusive, and this section. The fee schedule established by the commissioner must, as nearly as practicable, provide for the payment of one-half of those costs by health and care facilities and one-half by admitted health insurers.

Sec. 1.2. NRS 449.450 is hereby amended to read as follows:

449.450 The following terms, wherever used or referred to in NRS 449.440 to 449.530, inclusive, *and section 1.1 of this act,* have the following meaning unless a different meaning clearly appears in the context:

1. *"Admitted health insurer" means an insurer authorized to transact health insurance in this state under a certificate of authority issued by the commissioner.*

2. "Commissioner" means the commissioner of insurance.

[2.] *3.* "Health and care facility" means any person, institution, place, building or agency which maintains and operates facilities for the diagnosis, care and treatment of human illness and provides beds for inpatient care. The term includes but is not limited to hospitals, convalescent care facilities, nursing care facilities, detoxification centers and all specialized medical health care facilities.

Sec. 1.3. NRS 449.520 is hereby amended to read as follows:

449.520 On or before October 1, [1976,] *1984,* and every year thereafter, the commissioner [may] *shall* prepare and transmit to the governor *and the interim finance committee* a report of the commissioner's operations and activities for the preceding fiscal year. This report [shall] *must* include copies of all summaries, compilations and supplementary reports required by NRS 449.440 to 449.530, inclusive, *and section 1.1 of this act,* together with such facts, suggestions and policy recommendations as the commissioner deems necessary.''.

Amend the title of the bill, line 1, after ''*hire*'' by inserting ''*or contract with*''.

Amend the title of the bill, line 4, before ''*and*'' by inserting: ''authorizing the commissioner to impose fees on health and care facilities and health insurers to cover the costs of administering the program;''.

Assemblyman Perry moved the adoption of the amendment.

Remarks by Assemblyman Perry.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 416.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 825.

Amend the bill as a whole by renumbering sections 1 and 2 as sections 2 and 3 and adding a new section, designated section 1, preceding section 1, to read as follows:

''Section 1. NRS 288.150 is hereby amended to read as follows:

288.150 1. Except as provided in subsection 4, it is the duty of every local government employer to negotiate in good faith through a representative or representatives of its own choosing concerning the mandatory subjects of bargaining set forth in subsection 2 with the designated representatives of the recognized employee organization, if any, for each appropriate bargaining unit among its employees. If either party so requests, agreements reached shall be reduced to writing. Where any officer of a local government employer, other than a member of the governing body, is elected by the people and directs the work of any local government employee, such officer is the proper person to negotiate, directly or through a representative or representatives of his own choosing, in the first instance concerning any employee whose work is directed by him, but may refer to the governing body or its chosen representative or representatives any matter beyond the scope of his authority.

2. The scope of mandatory bargaining is limited to:

(a) Salary or wage rates or other forms of direct monetary compensation.

(b) Sick leave.

(c) Vacation leave.

(d) Holidays.

(e) Other paid or nonpaid leaves of absence.

(f) Insurance benefits.

(g) Total hours of work required of an employee on each work day or work week.

(h) Total number of days' work required of an employee in a work year.

(i) Discharge and disciplinary procedures.

(j) Recognition clause.

(k) The method used to classify employees in the bargaining unit.

(l) Deduction of dues for the recognized employee organization.

(m) Protection of employees in the bargaining unit from discrimination because of participation in recognized employee organizations consistent with the provisions of this chapter.

(n) No-strike provisions consistent with the provisions of this chapter.

(o) Grievance and arbitration procedures for resolution of disputes relating to interpretation or application of collective bargaining agreements.

(p) General savings clauses.

(q) Duration of collective bargaining agreements.

(r) Safety [.] *of the employee.*

(s) Teacher preparation time.

(t) Procedures for reduction in work force.

3. Those subject matters which are not within the scope of mandatory bargaining and which are reserved to the local government employer without negotiation include:

(a) The right to hire, direct, assign or transfer an employee, but excluding the right to assign or transfer an employee as a form of discipline.

(b) The right to reduce in force or lay off any employee because of lack of work or lack of funds, subject to paragraph (t) of subsection 2.

(c) The right to determine:

(1) Appropriate staffing levels and work performance standards, except for safety considerations;

(2) The content of the workday, including without limitation workload factors, except for safety considerations;

(3) The quality and quantity of services to be offered to the public; and

(4) The means and methods of offering those services.

(d) Safety of the public.

4. Notwithstanding the provisions of any collective bargaining agreement negotiated pursuant to this chapter, a local government employer is entitled to take whatever actions may be necessary to carry out its responsibilities in situations of emergency such as a riot, military action, natural disaster or civil disorder. Such actions may include the suspension of any collective bargaining agreement for the duration of the emergency. Any action taken under the provisions of this subsection shall not be construed as a failure to negotiate in good faith.

5. The provisions of this chapter, including without limitation the provisions of this section, recognize and declare the ultimate right and

responsibility of the local government employer to manage its operation in the most efficient manner consistent with the best interests of all its citizens, its taxpayers and its employees.

6. This section does not preclude, but this chapter does not require the local government employer to negotiate subject matters enumerated in subsection 3 which are outside the scope of mandatory bargaining. The local government employer shall discuss subject matters outside the scope of mandatory bargaining but it is not required to negotiate such matters.

7. Contract provisions presently existing in signed and ratified agreements as of May 15, 1975, at 12 p.m. shall remain negotiable.''.

Amend section 1, page 2, line 14, after ''board.'' by inserting a closed bracket.

Amend section 1, page 2, line 17, by deleting the bracket.

Amend sec. 2, page 3, line 44, by deleting ''*either party has*'' and inserting: ''*the board found that either party had*''.

Amend the title of the bill, first line, after ''government;'' by inserting: ''limiting the subjects which are subject to mandatory bargaining;''.

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblyman Bourne.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 496.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 831.

Amend section 1, page 1, line 17, by deleting ''*A*'' and inserting: ''*Upon the approval of the registered voters of the county, a*''.

Assemblyman Craddock moved the adoption of the amendment.

Remarks by Assemblyman Craddock.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 261.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 818.

Amend sec. 12, page 5, line 24, before ''an'' by inserting an open bracket.

Amend sec. 12, page 5, line 25, by deleting ''[amendment] *amendatory*'' and inserting ''amendment] *a*''.

Amend sec. 18, page 7, line 28, by deleting ''*19*'' and inserting ''*20*''.

Amend sec. 22, page 9, line 12, by deleting ''*of the certificate*''.

Amend sec. 22, page 9, line 13, by deleting ''*per copy.*'' and inserting ''*each.*''.

Amend sec. 26, page 10, line 31, before "A" by deleting the open bracket.

Amend sec. 26, page 10, line 35, after "5." by deleting the closed bracket.

Amend sec. 26, page 10, line 36, by deleting "[6.] *4.*" and inserting "6.".

Amend the bill as a whole by adding a new section, designated section 26.5, following section 26, to read as follows:

"Sec. 26.5. NRS 90.040 is hereby amended to read as follows:

90.040 "Broker-dealer" means any person engaged in the business of effecting transactions in securities for the account of others or for his own account. "Broker-dealer" does not include:

1. An agent.

2. An issuer.

3. [A broker or dealer registered pursuant to the provisions of the Securities Exchange Act of 1934 (15 U.S.C. § 78a et seq.).

4. A person who is a member of the National Association of Securities Dealers, Inc.

5.] A bank, savings institution or trust company.

[6.] *4.* A person who has no place of business in this state if:

(a) He effects transactions exclusively with or through:

(1) The issuers of the securities involved in the transactions;

(2) Other broker-dealers;

(3) Banks, savings institutions, trust companies, insurance companies, investment companies as defined in the Investment Company Act of 1940 (15 U.S.C. § 80a-1 et seq.), pension or profit-sharing trusts, or other financial institutions or institutional buyers, whether acting for themselves or as trustees; or

(b) During any period of 12 consecutive months he does not direct more than 15 offers to sell or buy into this state to persons other than those specified in paragraph (a), whether or not the offeror or any of the offerees is then present in this state.".

Amend sec. 33, page 15, between lines 21 and 22 and inserting: "*The provisions of this subsection do not apply to broker-dealers.*".

Amend sec. 33, page 16, line 22, after the period by inserting: "*If an application is withdrawn, the administrator shall retain the fee.*".

Amend sec. 41, page 20, line 27, by deleting "1983," and inserting "1984,".

Amend the bill as a whole by adding a new section, designated section 42, following section 41, to read as follows:

"Sec. 42. Section 26.5 of this act shall become effective on July 1, 1984.".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 295.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 847.

Amend sec. 3, page 3, by deleting lines 11 and 12 and inserting: "[such] *the* property as personal property and".

Amend sec. 3, page 3, line 14, after the period, by inserting: "*If the amount of the taxes exceeds $100, they may be paid in quarterly installments as provided in NRS 361.483.*".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Berkley moved that Assembly Bill No. 300 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Berkley.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 353.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 738.

Amend section 1, page 1, line 3, by deleting "*Any*" and inserting: "*Except as otherwise provided in subsection 3, any*".

Amend section 1, page 1, line 5, by deleting the period and inserting: "*within one-quarter of 1 percent, plus or minus.*".

Amend section 1, page 1, line 9, after "*thereof.*" by inserting: "*The term includes those beverages commonly referred to as malt liquor or stout.*

3. Subsection 1 does not apply to a keg which contains beer, if the alcoholic content of the beer in the keg is the same as that of the identically named beer which is packaged in hand-held containers.".

Amend sec. 2, page 1, line 10, by deleting "January 1, 1984," and inserting "February 8, 1984,".

Assemblyman Thomas moved the adoption of the amendment.

Remarks by Assemblyman Thomas.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 262.

Bill read second time and ordered to third reading.

Senate Bill No. 314.

Bill read second time and ordered to third reading.

Senate Bill No. 315.

Bill read second time and ordered to third reading.

Senate Bill No. 350.
Bill read second time and ordered to third reading.

Senate Bill No. 379.
Bill read second time and ordered to third reading.

Senate Bill No. 380.
Bill read second time and ordered to third reading.

Senate Bill No. 398.
Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 300.
Bill read third time.
The following amendment was proposed by Assemblyman Berkley:
Amendment No. 855.
Amend section 1, page 2, by deleting lines 5 and 6.
Amend sec. 9, page 6, by deleting lines 7 through 16 and inserting:
"427A.020 As used in this chapter, unless the context otherwise requires:
1. "Administrator" means the chief of the aging services division of the department.
2. "Commission" means the Nevada commission on aging.
3. "Day care center" means [any health and care facility, as defined by NRS 449.007, which is maintained and operated primarily to provide care for one or more elderly disabled persons during the day.] *a day care facility for adults, as defined in section 10 of this act.*
4. "Department" means the department of human resources.
5. "Director" means the director of the department.
6. "Division" means the aging services division of the department.".
Amend the bill as a whole by adding a new section, designated section 14, following section 13, to read as follows:
"Sec. 14. Section 9 of this act shall become effective at 12:01 a.m. on July 1, 1983.".
Assemblyman Berkley moved the adoption of the amendment.
Remarks by Assemblyman Berkley.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:
Assembly Bill No. 645—An Act creating the Washoe County Water and Sewer Authority; defining the boundaries of its jurisdiction; providing for its governing body, officers and employees; empowering it to acquire and dispose of land and other property and to construct and operate facilities and equipment for the purpose of providing water and sewerage within the area of its authority; providing for the imposition of taxes and assessments and charges for service; providing for the

issuance of bonds and other securities; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Thomas and May:

Assembly Bill No. 646—An Act relating to the division of archives of the Nevada state library; authorizing the state archives to retain the proceeds from the sale of obsolete records; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation (by request):

Assembly Bill No. 647—An Act relating to motor carriers; adding to the requirements for obtaining a certificate of public convenience and necessity a requirement to show that the other carriers are unwilling or unauthorized to furnish the proposed service; providing that the requirements must be established by a preponderance of the evidence; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 648—An Act relating to the property tax; exempting certain property leased or subleased to the state, any of its political subdivisions, the University of Nevada or any county school district; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 649—An Act relating to the tax on slot machines; contingently appropriating part of its proceeds for payments under leases in lieu of bonds or other securities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 650—An Act relating to advisory boards; reducing the membership of the board of youth services and the state mental hygiene and mental retardation advisory board; requiring the governor to appoint local mental health and mental hygiene advisory boards; and providing other matters properly relating thereto.

Assemblyman Bremner 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 Senate Bills Nos. 210, 232, 238, 268, 280, 299, 304, 309, 334; Senate Joint Resolutions Nos. 16, 19.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Chaney, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Joyce Chaney, Ms. Marlynn Johnson and Mr. Lonnie Chaney, Jr.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Clark S. Judge.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Susan Sorensen.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, May 10, 1983, at 10:45 a.m.

Motion carried.

Assembly adjourned at 12:28 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FOURTEENTH DAY

CARSON CITY (Tuesday), May 10, 1983

Assembly called to order at 10:50 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Terry W. Arnold.

Father, thank you for this day that you have given us. Thank you for the snow, for the moisture, thank you for the opportunities of this day. Thank you for these men and women who have assembled here together to enact our laws. We thank you for the empowerment that you give each and every one of them. We thank you for the vote of confidence given by their constituents, and we thank you, Father, for their own drive and ambition to help us live in a better society. We thank you for them. We ask you to bless them this day, as they have so much to do, so many responsibilities. We ask your blessing upon them, for it is in your name that we pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 335, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 599; Senate Bills Nos. 182, 199, 305, 319, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 339, 369, 386, 400, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 9, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 288, 339, 362, 514, 515.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 138, and respectfully requests your honoroble body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day

adopted the report of the second Committee on Conference concerning Assembly Bill No. 28.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 104.

Also, I have the honor to inform your honorable body that the Senate appointed Senators Mello, Horn and Ryan as a first Committee on Conference concerning Senate Bill No. 273.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 39.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Senate Bill No. 380 be taken from the General File and re-referred to the Committee on Judiciary.

Remarks by Assemblyman Stewart.

Motion carried.

Assemblyman Banner moved that Senate Bill No. 350 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Senate Concurrent Resolution No. 39.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

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

Assembly in recess at 10:58 a.m.

ASSEMBLY IN SESSION

At 11:06 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 651—An Act relating to motor vehicle fuel tax; shifting 1 cent of the tax from the state highway fund to the county road fund; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Elections:

Assembly Bill No. 652—An Act relating to elections; providing additional time for filing a statement of contest; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Elections.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 10, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 373, 415, 429, 434.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 246, 340, 354, 358, 366, 399, 412.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 246.

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

Motion carried.

Senate Bill No. 340.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:10 a.m.

ASSEMBLY IN SESSION

At 11:28 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 354.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Elections.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 653—An Act relating to revenue bonds for economic development; authorizing their issue at variable rates of interest; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 654—An Act relating to the Colorado River commission; requiring the commission to give preference in distributing water and power to certain public bodies; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 358.

Assemblyman Sader moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 366.

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

Motion carried.

Senate Bill No. 373.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 399.

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

Motion carried.

Senate Bill No. 412.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Elections.

Motion carried.

Senate Bill No. 415.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 429.

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

Motion carried.

Senate Bill No. 434.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Concurrent Resolution No. 45, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 276, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 571, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 17, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 575, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 132, 411, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 471; Senate Bill No. 189, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 570, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Government Affairs.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 582, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 608, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and re-refer to the Committee on Ways and Means.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which were referred Senate Bill No. 105; Senate Joint Resolution No. 14, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 608 be re-referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Stone:

Assembly Concurrent Resolution No. 46—Requesting the return to the assembly from the governor's office of Assembly Bill No. 411.

Assemblyman Stone moved the adoption of the resolution.

Remarks by Assemblyman Stone.

Resolution adopted unanimously.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 138.

The following Senate amendments were read:

Amendment No. 297.

Amend section 1, page 1, line 2, by deleting "and 3" and inserting "to 5, inclusive,".

Amend the bill as a whole by renumbering sections 4 through 11 as sections 6 through 13 and adding new sections designated sections 4 and 5, following section 3, to read as follows:

"Sec. 4. *1. The fund for future claims is hereby created as a special revenue fund. A balance of not more than $1,000,000 must be maintained in the fund, to be used for satisfying claims against persons licensed under this chapter.*

2. A committee composed of the commissioner and two persons appointed by the governor who are officers or directors of licensed mortgage companies in this state shall administer the fund.

Sec. 5. *1. After a licensee has transacted business in this state as a mortgage company for 2 consecutive years, the commissioner may, based upon the licensee's experience and education, relieve him of the requirement of depositing a bond or letter of credit.*

2. Each licensee who is relieved of the requirement of depositing a bond or letter of credit, shall pay each year, in addition to the fee for renewal, a fee for claims against persons licensed under this chapter, to be paid at the same time as the fee for renewal and deposited in the state treasury for credit to the fund for future claims. The initial amount of this fee is $500. After the fund reaches a balance of $1,000,000, the commissioner shall establish this fee as a percentage of the total assets of each mortgage company. The percentage must be established at such a rate that the balance in the fund is not reduced substantially below $1,000,000.".

Amend sec. 5, page 2, line 32, by deleting "[$25,000] *$50,000,*" and inserting "$25,000,".

Amend sec. 5, page 2, line 36, by deleting "credit," and inserting "credit [,".

Amend sec. 5, page 2, line 37, by deleting "expiration," and inserting "expiration,]".

Amend sec. 5, page 3, line 11, by deleting "Such" and inserting "[Such".

Amend sec. 5, page 3, line 12, by deleting "license." and inserting "license.]".

Amend sec. 6, page 3, line 18, by deleting "[delivered or mailed

to] *received by*'' and inserting: ''delivered or mailed *by certified or registered mail* to''.

Amend sec. 6, page 3, by deleting lines 23 and 24 and inserting: ''*or a fee for renewal after June 30.* If a license [has expired, an application must be made for an original license.] *expires, it may be reinstated upon the payment of a fee equal to the amount of the fee for renewal.*''.

Amend sec. 6, page 4, line 12, by deleting ''*All*'' and inserting: ''*Except as otherwise provided in this chapter, all*''.

Amend sec. 7, page 4, by deleting lines 23 and 24.

Amend sec. 7, page 4, line 25, by deleting ''*(c)*'' and inserting ''(b)''.

Amend sec. 7, page 4, line 27, by deleting ''[(c)] *(d)*'' and inserting ''(c)''.

Amend sec. 7, page 4, line 32, by deleting ''[(d)] *(e)*'' and inserting ''(d)''.

Amend sec. 7, page 4, line 37, by deleting ''*(f)*'' and inserting ''*(e)*''.

Amend sec. 8, page 5, line 31, by deleting ''*valid claim made by a client; or*'' and inserting: ''*claim made by a client which has been reduced to judgment; or*''.

Amend sec. 10, page 6, by deleting lines 20 through 42 and inserting:

''Sec. 12. NRS 645B.195 is hereby repealed.''.

Amend sec. 11, page 7, by deleting lines 1 through 23 and inserting:

''Sec. 13. Each mortgage company licensed in this state on July 1, 1983, which pays the annual fee provided for in section 5 of this act may withdraw its bond or letter of credit deposited pursuant to NRS 645B.030.''.

Amend the title of the bill, third and fourth lines, by deleting ''increasing the bond required of mortgage companies;'' and inserting: ''establishing a fund to pay claims against mortgage companies;''.

Amendment No. 506.

Amend section 1, page 1, line 2, by deleting ''5,'' and inserting ''5.5,''.

Amend sec. 5, page 2, line 13, by deleting the comma after ''*may*''.

Amend sec. 5, page 2, by deleting lines 14 and 15 and inserting: ''*relieve him of the requirement of depositing a bond or letter of credit if he pays the annual fee pursuant to subsection 2.*''.

Amend sec. 5, page 2, line 17, after ''*shall pay*'' by inserting: ''*by June 30 of*''.

Amend sec. 5, page 2, by deleting line 19 and inserting: ''*be deposited in the*''.

Amend sec. 5, page 2, line 23, by deleting ''*total assets of*'' and inserting: ''*volume of loans in dollars originated in this state in the preceding calendar year by*''.

Amend sec. 5, page 2, line 24, after ''*fund*'' by inserting ''*under normal circumstances*''.

Amend sec. 5, page 2, by inserting between lines 25 and 26:

''*3. If, after July 1, 1985, the balance in the fund is less than $100,000, the commissioner shall establish and collect from each*

licensee required to pay the annual fee pursuant to subsection 2, at the time that fee is paid, an assessment in an amount which is sufficient to increase the balance to at least $100,000.''.

Amend the bill as a whole by adding a new section designated section 5.5, following section 5, to read as follows:

''Sec. 5.5. *1. A claim for payment from the fund for future claims must be filed with the commissioner.*

2. The commissioner shall approve a claim for any actual unpaid losses incurred by the claimant and request payment from the available money in the fund in an amount not exceeding $100,000 per licensee if:

(a) The claimant has obtained a final judgment in any court of competent jurisdiction against a licensee under this chapter, upon grounds of fraud, misrepresentation or deceit with reference to any transaction for which a license is required under this chapter; or

(b) The licensee, pursuant to NRS 645B.100 to 645B.160, inclusive, has had his license permanently revoked upon grounds of fraud, misrepresentation or deceit with reference to any transaction for which a license is required under this chapter.

3. If there is an insufficient amount of money in the fund to satisfy any claim that may be made pursuant to this section, the commissioner may designate a receiver to represent the interests of the claimants affected or petition a court to make payments from the fund in any manner that it may find equitable.''.

Amend sec. 7, page 3, by inserting between lines 34 and 35:

''*4. If the applicant obtains a mortgage company's license, any deposit he has made pursuant to this section may be retained by the commissioner until the licensee qualifies to pay the annual fee for claims against persons licensed under this chapter.*

5. The commissioner shall deposit any security received pursuant to this section or NRS 645B.040 in the fund for future claims.''.

Amend sec. 8, pages 3 and 4, by deleting lines 40 through 42 on page 3 and lines 1 through 6 on page 4 and inserting: ''application and payment must be [delivered or mailed to] *received by* the commissioner on or before June [15] *30* next preceding the expiration date. If the application or payment is [mailed after] *not received by* June [15, the applicant is subject to a penalty in the amount of 10 percent of the license fee. If a license has expired, an application must be made for an original license.] *30, the license is canceled. The commissioner may reinstate the license if the licensee pays the filing fee and a reinstatement fee of $200.*''.

Amend the bill as a whole by renumbering sections 12 and 13 as sections 13 and 14 and adding a new section designated section 12, following section 11, to read as follows:

''Sec. 12. NRS 238.100 is hereby amended to read as follows:

238.100 1. Except as provided in subsections 2 and 4, *or by specific statute,* any document or payment required or permitted by law or regulation to be filed or made by mailing to the state or any of its agencies or political subdivisions shall be deemed filed or made on the

date of the postmark dated by the post office on the envelope in which it was mailed.

2. If [such] *a* document or payment was mailed but not received by the addressee or was received but the postmarked date is illegible or omitted, the document or payment shall be deemed filed or made on the date it was mailed, if the sender:

(a) Establishes by a postal receipt for registered or certified mail that the mailing date was on or before the required date for filing or payment; and

(b) Where the document or payment was not received, files a duplicate of the contents of the envelope within 15 days after [the sender] *he* becomes aware that it was not received.

3. For *the* purposes of this section, if the required date for filing or making payment is a Saturday, Sunday or legal holiday, [such] *the* filing or payment is timely if performed on the next day which is not a Saturday, Sunday or legal holiday.

4. This section does not apply to the filing of [election] documents under Title 24 of NRS.''.

Amendment No. 654.

Amend section 1, page 1, line 2, by deleting ''5.5,'' and inserting ''5.9,''.

Amend sec. 4, page 2, by deleting lines 6 and 7 and inserting:

''Sec. 4. *1. The fund for mortgage investors is hereby created as a special revenue fund. Except as otherwise provided in subsection 2, a balance of not more than $1,000,000 must be*''.

Amend sec. 4, page 2, by deleting lines 10 through 12 and inserting:

''*2. Any interest earned on the money in the fund must be credited to the fund and must be accounted for as separate income. The balance in the fund may be increased to more than $1,000,000 only if the amount over $1,000,000 is from interest earned on the money in the fund and is not collected from persons licensed under this chapter.*

3. The commissioner shall administer the fund.''.

Amend sec. 5, page 2, line 14, by deleting ''*may*'' and inserting ''*shall*''.

Amend sec. 5, page 2, line 21, by deleting ''*future claims.*'' and inserting ''*mortgage investors.*''.

Amend sec. 5, page 2, line 32, after the period by inserting: ''*The commissioner may establish and collect such an assessment only once in any 1 year.*''.

Amend sec. 5.5, page 2, line 33, by deleting ''*future claims*'' and inserting ''*mortgage investors*''.

Amend the bill as a whole by adding new sections designated sections 5.7 and 5.9, following section 5.5, to read as follows:

''Sec. 5.7. *If the commissioner pays any amount of money from the fund for mortgage investors to a claimant, the commissioner is subrogated to all rights of the claimant against the licensee or any other person relating to the loss, and the claimant shall assign all his right, title and interest in the claim to the commissioner on behalf of the fund. Any amount recovered by the commissioner pursuant to this section must be deposited in the state treasury for credit to the fund.*

Sec. 5.9. *If the commissioner pays any amount of money from the fund for mortgage investors in settlement of a claim or toward the satisfaction of a judgment against a licensee who has not been relieved of the requirement of depositing a bond or letter of credit, the commissioner may, on behalf of the fund, commence an action to recover against the bond or letter of credit. Any amount recovered by the commissioner pursuant to this section must be deposited in the state treasury for credit to the fund.*''.

Amend sec. 6, page 3, line 22, by deleting the open bracket.

Amend sec. 6, page 3, line 23, by deleting ''or'' and inserting ''[or]''.

Amend sec. 6, page 3, line 24, by deleting the closed bracket.

Amend sec. 6, page 3, line 26, by deleting ''*(d)*'' and inserting ''*(e)*''.

Amend sec. 7, page 3, line 35, by deleting ''State of Nevada,'' and inserting: ''[State of Nevada,] *commissioner on behalf of the fund for mortgage investors,*''.

Amend sec. 7, page 4, by deleting lines 22 and 23.

Amend sec. 8, page 5, by deleting lines 7 through 27 and inserting:

''(d) For filing [a renewal application, the filing fees are determined by the dollar volume of loans originated in the preceding calendar year ended December 31, in accordance with the following schedule:

Under $1 million	$200
$1 million to $2 million	250
$2 million to $3 million	300
$3 million to $4 million	350
$4 million to $5 million	400
$5 million to $10 million	500
Over $10 million	600]

an application for renewal, $500.

4. [All] *Except as otherwise provided in this chapter, all* fees received under this chapter must be deposited in the state treasury for credit to the state general fund.''.

Amend sec. 11, page 7, by deleting line 28 and inserting:

''6. [Any one natural person, or husband and wife, who pro-''.

Amend sec. 11, page 7, line 31, by deleting ''7.'' and inserting ''7.]''.

Amendment No. 795.

Amend sec. 6, page 3, by deleting line 41 and inserting: ''real property [; or] , *unless the loans are made pursuant to subsection 6 or 8 of NRS 645B.190;*''.

Amend sec. 11, page 7, by deleting line 35 and inserting:

''6. Any [one natural] person [, or husband and wife,] who provides''.

Amend sec. 11, page 7, line 38, by deleting the closed bracket.

Amend sec. 11, page 7, by inserting between lines 39 and 40:

''*8. A seller who offers credit secured by a mortgage of the property sold.*''.

Assemblyman Jeffrey moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 138.

Motion carried.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 45.

Assemblyman Nevin moved the adoption of the resolution.

Remarks by Assemblyman Nevin.

Resolution adopted unanimously.

SECOND READING AND AMENDMENT

Assembly Bill No. 570.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 861.

Amend the bill as a whole by deleting sections 1 through 4 and inserting:

"Section 1. The above-entitled act, being chapter 573, Statutes of Nevada 1971, as amended, is hereby further amended by adding Article VIIA to read as follows:

ARTICLE VIIA

REVITALIZATION AND REDEVELOPMENT

Sec. 7A.010 Legislative declaration. The legislature by the inclusion of this article in this charter declares that:

1. All of the property which is to be acquired by the city pursuant to this article must be owned, operated, administered and maintained for and on behalf of all of the people of the city.

2. The exercise by the city of the purposes, powers, rights, privileges, immunities and duties which are established, granted, conferred and imposed in this article promotes the public health, safety, prosperity, security, comfort, convenience and general welfare of all of the people of the state and will be of special benefit to the inhabitants of the city and the property within the city.

3. The provisions in this article which involve the purposes, powers, rights, privileges, immunities, liabilities, duties and disabilities with respect to the city will serve a public purpose.

4. The necessity for this article results from:

(a) The large population growth in the urban areas which are included within the city and its environs, which constitutes in the aggregate a significant portion of the state's population;

(b) The numerous capital improvements and large amount of improved real property which is situate within the urban areas;

(c) The need for capital improvements within certain areas within the city to provide needed services, facilities and other improvements for public use;

(d) The existence of blighted or deteriorating areas within the city which constitutes a serious and growing menace which is condemned as injurious and inimical to the public health, safety and general welfare of the people of the state, and particularly of the city;

(e) The lack of municipally owned capital improvements and the blighted or deteriorating areas which present difficulties and handicaps beyond remedy and control solely by the regulatory processes in the exercise of the police power;

(f) Deficiencies which contribute substantially and increasingly to the problems of, and necessitate excessive and disproportionate expenditures for, crime prevention and the preservation of the public health, safety and general welfare;

(g) Deficiencies which also constitute an economic and social liability which imposes onerous municipal burdens which decrease the tax base and reduce tax revenues, aggravate traffic hazards and the improvement of the traffic facilities; and

(h) The fact that the areas in which these deficiencies exist consume an excessive proportion of the city's revenues because of the extra services which are required for police, fire, accident, hospitalization and other forms of public protection.

5. The menace which results from the foregoing factors is becoming increasingly direct and substantial in its significance and effect.

6. The benefits which the city will derive from the remedying of these deficiencies by making available additional revenues to defray indirectly the costs of undertakings within the city which are authorized by NRS 268.672 to 268.740, inclusive, and the redevelopment of blighted or deteriorating areas within the city will inure to the inhabitants and the property owners of the city as a whole, will be of general benefit to those people and will be of special benefit to the taxable real property within a tax increment area and to the owners of that property.

7. The method of paying the bond requirements of the securities which are issued pursuant to this article is equitable and enables the city to issue securities to defray the cost of any project.

8. A general law cannot be made applicable to the city or to the properties, powers, rights, privileges, immunities, liabilities, duties and disabilities which pertain to the city, as provided in this article, because of the number of atypical factors and special conditions with respect to them.

9. For the accomplishment of the purposes which are provided in this section, each of the provisions of this article must be broadly construed.

Sec. 7A.020 Definitions. Except as is provided in this article or where the context otherwise requires, the terms which are used or referred to in this article are as defined in NRS 268.672 to 268.740, inclusive, and, except as is otherwise provided in those sections, as defined in NRS 350.500 to NRS 350.720, inclusive, but the definitions which are contained in sections 7A.030 to 7A.110, inclusive, of this charter, except where the context otherwise requires, govern the construction of this article.

Sec. 7A.030 "Bond requirements" defined. "Bond requirements" means the principal of, any prior redemption premiums due in connection with and the interest on the designated bonds or other securities.

Sec. 7.040. "Cost of undertaking" defined. "Cost of the undertaking," or any phrase of similar import, means the "cost of any project" as the latter phrase is defined in NRS 350.516.

Sec. 7A.050 "Engineer" defined. "Engineer," without further qualification, means the city engineer or a firm of engineers which is employed by the city in connection with any undertaking or any project or the exercise of any power which is authorized in this article.

Sec. 7A.060 "Facilities" defined.

1. "Facilities" means buildings, structures, utilities or other properties which pertain to any undertaking or project which is authorized in this article, including without limitation income-producing facilities and facilities which are acquired with the proceeds of bonds or other securities which are issued under that article.

2. The term includes all of the properties, real, personal, mixed or otherwise, which are acquired by the city or the public body, as the case may be, by any undertaking for any one or more projects through purchase, condemnation, construction or otherwise and are used in connection with any of those projects and related services or in any way which pertains to those projects or services, whether they are situate within or without, or both within and without, the corporate boundaries of the city or the territorial limits of the public body, as the case may be.

Sec. 7A.070 "Mailed notice," "notice by mail" defined. "Mailed notice" and "notice by mail" each means the giving by the engineer, city clerk or any of their deputies, as determined by the city council, of any designated written or printed notice which must be addressed to any designated person, or to the last known owner of each tract in any tax increment area, at his last known address by the deposit, at least 20 days before the designated hearing or other time or event, in the United States mails, postage prepaid as first-class mail.

Sec. 7A.080 "Posting" defined. "Posting" means posting any required notice in three public places at or near the site of any designated undertaking or project at least 20 days before the designated hearing or other time or event.

Sec. 7A.090 "Tax increment account" defined. "Tax increment account" means a special account which is created pursuant to subsection 3 of section 7A.210 of this charter and the other provisions in this article which are supplemental to it.

Sec. 7A.100 "Tax increment area" defined. "Tax increment area" means the area which is specially benefited by an undertaking under this article, is designated by ordinance, as provided in subsection 3 of section 7A.210 of this charter, and in which is located the taxable property the assessed valuation of which is the basis for the allocation of tax proceeds to any tax increment account under section 7A.230 of this charter.

Sec. 7A.110 "Undertaking" defined. "Undertaking" means any enterprise to acquire, improve or equip (or any combination thereof) any project which is authorized in NRS 268.672 to 268.740, inclusive, and to defray the cost of that enterprise, wholly or in part, by the issuance of the city's bonds or other securities which are payable, wholly or in part, from tax proceeds which are allocated to any tax increment account that pertains to the enterprise pursuant to section 7A.230 of this charter.

Sec. 7A.120 Requirements for posting.

1. The posting of any notice which is required by this article must be verified by the affidavit or certificate of the engineer, city clerk, deputy or other person who posted the notice. The affidavit or certificate must be filed with the city clerk and retained in the records of the city at least until all of the bonds and other securities which pertain to any tax increment account have been paid in full or any claim which relates to those bonds or securities is barred by a statute of limitations.

2. The affidavit or certificate of posting is prima facie evidence of the posting of the notice in accordance with the requirements of this section.

Sec. 7A.130 Requirements for notice by mail.

1. The name and address of any property owner to whom notice is required by this article may be obtained from the records of the county assessor or from any source which the clerk or the engineer deems to be reliable. Any list of the names and addresses which pertain to any tax increment area may be revised from time to time, but the list need not be revised more frequently than at 12-month intervals, if the list is needed for a period longer than 12 months.

2. The mailing of any notice which is required by this article must be verified by the affidavit or certificate of the engineer, city clerk, deputy, or other person who mailed the notice. The affidavit or certificate must be filed with the city clerk and, retained in the records of the city at least until all of the bonds and other securities which pertain to any tax increment account have been paid in full or any claim which relates to those bonds or securities is barred by a statute of limitations.

3. The affidavit or certificate of mailing is prima facie evidence of the mailing of the notice in accordance with the requirements of this section.

Sec. 7A.140 Requirements for publication.

1. Any publication which is required by this article, except as otherwise expressly provided or necessarily implied in this article, must be made at least once a week for 3 consecutive weeks by three weekly insertions, the first publication being at least 15 days before the designated time or event. Unless it is otherwise stated, it is not necessary that publication be made on the same day of the week in each of the 3 calendar weeks, but not less than 14 days must intervene between the first publication and the last publication.

2. Publication is complete, if more than one insertion is required, on the day of the last publication.

3. Any publication which is required by this article must be verified

by the affidavit of the publisher, which must be filed with the city clerk and retained in the records of the city at least until all of the bonds and other securities which pertain to any tax increment account have been paid in full or any claim which relates to those bonds or securities is barred by a statute of limitations.

4. The affidavit of publication is prima facie evidence of the publication of the notice in accordance with the requirements of this section.

Sec. 7A.150 Authorization of tax increment area.

1. Except as is provided in subsections 2 and 3, the city council, on behalf of the city and in its name, may at any time designate a tax increment area within the city to create a special account for the payment of bonds or other securities which are issued to defray the cost of the acquisition, improvement or equipment (or any combination thereof) of any project which is authorized in NRS 268.672 to 268.740, inclusive, including without limitation the condemnation of property for the undertaking, as are supplemented by NRS 350.500 to 350.720, inclusive, except as is otherwise provided in this article.

2. A tax increment area may not be created by the city council if the total land area of the tax increment area exceeds 10 percent of the total land area, or if the total initial assessed valuation of the tax increment area exceeds 10 percent of the total assessed valuation of the taxable property which is situate within the city. As used in this subsection, "initial assessed valuation" means the assessed value as shown on the assessment roll which was last equalized before the designation of the area.

3. The right of way property of a railroad company which is under the jurisdiction of the Interstate Commerce Commission must not be included in a tax increment area unless the inclusion of that property is mutually agreed upon by the city council and the railroad company.

Sec. 7A.160 Limitation upon acquisition of facilities.

1. The city may not acquire, as a part of its facilities, any property which, at the time of its acquisition, competes in any area with then-existing properties of a public body which provides the same or a similar function or service in the area, but the facilities of the city may complement the existing properties of a public body by providing in that area supplemental functions or services, if the existing properties provide inadequate functions or services.

2. The city may acquire properties of any public body which are situate in the city as one undertaking or a project of the city or an interest in that undertaking or project.

Sec. 7A.170 Initiating procedure.

1. Whenever the city council is of the opinion that the interests of the city require any undertaking which is to be financed under this article, the governing body by resolution shall direct the engineer to prepare:

(a) Preliminary plans and a preliminary estimate of the cost of the undertaking, including without limitation all of the estimated financing costs which are to be capitalized with the proceeds of the city's securities and all other estimated incidental costs which relate to the undertaking;

(b) A statement of the proposed tax increment area which pertains to the undertaking, the last finalized amount of the assessed valuation of the taxable property in the area and the amount of taxes (including in the amount the sum of all unpaid taxes, whether or not they are delinquent) which resulted from the last taxation of the property, based upon the records of the county assessor and the county treasurer; and

(c) A statement of the estimated amount of the tax proceeds which are to be credited annually to the tax increment account during the term of the proposed securities which will be payable from those tax proceeds.

2. The resolution must describe the undertaking in general terms.

3. The resolution must state:

(a) What part or portion of the expense of the undertaking must be paid with the proceeds of the securities which are issued by the city in anticipation of tax proceeds and are to be credited to the tax increment account and payable wholly or in part from those tax proceeds;

(b) How the remaining part or portion of the expenses, if any, is to be financed; and

(c) The basic security and any additional security for the payment of the securities of the city which pertain to the undertaking.

4. The resolution need not describe minutely each particular tract of taxable real property which is proposed to be included within the tax increment area, but may simply designate the tax increment area or its location in such a manner that the various tracts of taxable real property and taxable personal property which are situate within the tax increment area may be ascertained and determined to be either within or without the proposed tax increment area.

5. The engineer shall forthwith file with the city clerk the preliminary plans, estimate of cost and statements.

6. Upon the filing of the preliminary plans, estimate of cost and statements, the city council shall examine them, and, if it finds them to be satisfactory, by resolution provisionally order the undertaking.

Sec. 7A.180 Provisional order resolution; notice of hearing.

1. In the provisional order resolution, the city council must set the time, which must be at least 20 days after the adoption of the resolution, and the place when and where any representative of the Federal Government, the state or any public body or any person who resides in the city or owns taxable personal or real property in the city, or any representative of that person, may appear before the governing body and be heard concerning the propriety and advisability of the undertaking.

2. Notice of that hearing must be given:

(a) By mail;

(b) By posting; and

(c) By publication.

3. The notice must:

(a) Describe the undertaking and the project which relates to it (without mentioning minor details or incidentals);

(b) State the preliminary estimate of the cost of the undertaking,

including all incidental costs, as are stated in the engineer's report which was filed with the city council pursuant to subsection 5 of section 7A.170 of this charter;

(c) Describe the proposed tax increment area which pertains to the undertaking, the last finalized amount of the assessed valuation of the taxable property in the area and the amount of taxes (including in the amount the sum of all unpaid taxes, whether or not they are delinquent) which resulted from the last taxation of the property, based upon the records of the county assessor and the county treasurer;

(d) State what part or portion of the expense of the undertaking must be paid with the proceeds of the securities which are issued by the city in anticipation of tax proceeds and are to be credited to the tax increment account and payable wholly or in part from those tax proceeds;

(e) State how the remaining part or portion of the expenses, if any, is to be financed;

(f) State the basic security and any additional security for the payment of the securities of the city which pertain to the undertaking;

(g) State the estimated amount of the tax proceeds which are to be credited annually to the tax increment account which pertains to the undertaking during the term of the proposed securities which are payable from those tax proceeds and the estimated amount of any net revenue which will be derived annually from the operation of the project which pertains to the undertaking and is pledged for the payment of the securities;

(h) State the estimated aggregate principal amount which is to be borrowed through the issuance of the securities (excluding proceeds of those securities to fund or refund outstanding securities) and the estimated total bond requirements of the securities;

(i) State whether or not the governing body finds, determines and declares that the estimated tax proceeds which will be credited to the tax increment account and any net pledged revenue which will be derived annually from the operation of the project which pertains to the undertaking will be fully sufficient to pay the bond requirements of the securities as they become due; and

(j) The time and place when and where the city council will consider the ordering of the undertaking and hear all of the complaints, protests, objections and other relevant comments with respect to it which may be made in writing by any natural person or body corporate which is designated in subsection 1 and filed with the city clerk at least 3 days before the hearing or made orally at the hearing by any natural person who is designated in subsection 1.

4. All of the proceedings may be modified or rescinded, wholly or in part, by resolution which is adopted by the city council at any time before the passage of the ordinance which orders the undertaking and creates the tax increment area and the tax increment account which pertains to the undertaking pursuant to subsection 3 of section 7A.210 of this charter.

5. No substantial change in the undertaking, the preliminary estimates, the proposed tax increment area or other statements which relate to the undertaking may be made after the first publication, posting or

mailing of the notice to property owners, whichever occurs first, except for the deletion of a portion of the undertaking and property from the proposed tax increment area, unless the city council, after ordering that change, provides for another provisional order hearing on all of the matters in the premises and for a notice of the hearing in the same manner as is provided in this article for the initial hearing, but a subsequent finalization of the amount of the assessed valuation of the taxable property in the tax increment area or a subsequent levy of taxes may not adversely affect the proceedings which are taken under this article.

6. The engineer also has the right to make minor changes in, and to develop the undertaking with respect to, the time, plans and materials which enter into the undertaking at any time before its completion.

Sec. 7A.190 Provisional order hearing.

1. At the time and place of the hearing, or at any adjournment of the hearing, the city council must proceed to read and consider all of the written complaints, protests, objections and other relevant comments which have been properly made and filed with the city clerk and to hear all oral comments which relate to the undertaking.

2. After the hearing has been concluded, after all of the written complaints, protests, objections and other relevant comments have been read and considered, and after the city council has heard and considered all of the oral comments which were made by persons who have an interest in the undertaking and has also considered any other relevant material which was offered, if the city council determines that the undertaking, or any part of it, is not in the public interest, the city council by resolution must make an order to that effect and may modify the proposed tax increment area to conform to that order. Thereupon, the undertaking or that part of the undertaking which was determined against by the order must stop and may not be begun again until the adoption of a new resolution.

3. Any complaint, protest or objection to the regularity, validity and correctness of the proceedings which were taken and the instruments which were made before the date of the hearing are deemed to have been waived unless they were presented in writing at the time and in the manner which is specified in this article.

Sec. 7A.200 Appeal from adverse order. If any person or public body, the state or the Federal Government filed a written complaint, protest or objection as provided in paragraph (j) of subsection 3 of section 7A.050 of this charter, that person or public body, the state or the Federal Government, as the case may be, may commence, within 30 days after the city council has finally passed upon its complaint, protest or objection by resolution pursuant to subsection 2 of section 7A.190 of this charter or by ordinance pursuant to subsection 3 of section 7A.210 of this charter, an action or suit in any court of competent jurisdiction to correct or set aside the determination, but thereafter all actions or suits which attack the validity of the proceedings or the determination of the city council, or both, are perpetually barred.

Sec. 7A.210 Final order of undertaking.

1. After the provisional order hearing and the consideration of all of the matters in the premises, or, in the event of a material change

other than the deletion of a part of the undertaking and any modification of the tax increment area to conform to that deletion pursuant to subsection 2 of section 7A.190 of this charter, after the supplemental provisional order hearing and the consideration of any supplemental matters in the premises, the city council shall determine whether or not to proceed under this article. If it has ordered any modification and desires to proceed, it shall direct the engineer appropriately to modify the plans, estimates and statements which were filed by him with the city clerk pursuant to subsection 5 of section 7A.170 of this charter.

2. The engineer shall appropriately modify those plans, estimates and statements and forthwith file the modified plans, estimates and statements with the city clerk.

3. When the plans, estimates and statements are prepared, filed with the city clerk and are satisfactory to the city council, the city council shall by ordinance overrule all of the complaints, protests and objections which were not otherwise acted upon, unconditionally order the undertaking as modified, if modified, describe the tax increment area which pertains to the undertaking and create the tax increment account for the undertaking.

4. The ordinance may be introduced and adopted at one meeting by the unanimous vote of the entire city council as if an emergency exists and may be effective upon its adoption and publication by title, or it may be introduced and adopted as a regular measure, pursuant to section 2.110 of this charter.

Sec. 7A.220 Amendment of ordinance.

1. The city council may amend an ordinance which was adopted pursuant to subsection 3 of section 7A.210 of this charter by adopting a supplemental ordinance, which must be introduced and adopted as a regular measure, to:

(a) Modify the undertaking by specifying new projects or removing or modifying projects which were specified in the original ordinance;

(b) Add areas to or remove areas from a tax increment area; or

(c) Make such other changes, additions or deletions as the city council determines will further its objectives within the tax increment area.

2. If a proposed amendment would add any area to or remove any area from a tax increment area, notice by mail of the meeting of the city council at which the proposed amendment will be considered must be given to the last known owner or owners of each tract of land which is proposed to be added or removed.

3. The amount of taxes to be allocated to a tax increment account pursuant to subsection 2 of section 7A.230 of this charter must be computed separately for the original tax increment area and each addition of land to the original tax increment area.

Sec. 7A.230 Allocation, division and disposition of tax proceeds. After the effective date of the ordinance which unconditionally orders the undertaking and provides for the tax increment financing, any tax which is levied upon the taxable property in the tax increment area each year by or for the benefit of the state, the city and any public body must be divided as follows:

1. That portion of the taxes which would be produced by the rate

upon which the tax is levied each year by or for each of the taxing agencies upon the total sum of the assessed value of the taxable property in the tax increment area, as is shown on the assessment roll which is used in connection with the taxation of the property by the taxing agency, as that roll was last equalized before the effective date of the ordinance, must be allocated to and, when the taxes are collected, paid into the funds of the respective taking agencies as taxes by or for the taxing agencies as the taxes on all other property are paid.

2. That portion of the levied taxes each year which are in excess of that amount must be allocated to and, when the taxes are collected, paid into the tax increment account which pertains to the undertaking to pay the bond requirements of any loan or any money which was advanced to, or any indebtedness, whether it is funded, refunded, assumed or otherwise incurred by, the city to finance or refinance, in whole or in part, the undertaking. Until the total assessed valuation of the taxable property in the tax increment area exceeds the total assessed value of the taxable property in the area, as shown by the last equalized assessment roll which is referred to in subsection 1, all of the taxes which are levied and collected upon the taxable property in the area must be paid into the funds of the respective taxing agencies. When the loans, advances and indebtedness, if any, and interest thereon, have been paid, all of the money which is thereafter received from taxes upon the taxable property in the area must be paid into the funds of the respective taxing agencies as the taxes on all other property are paid.

3. For the purposes of this section, the last equalized assessment roll which is referred to in subsection 1 is the assessment roll which was in existence on the 15th day of April which immediately precedes the effective date of the ordinance which unconditionally orders the undertaking and provides for the tax increment financing.

Sec. 7A.240 Municipal securities.

1. The city may issue, to defray, wholly or in part, the cost of the undertaking, the following securities:

(a) Notes;

(b) Warrants;

(c) Interim debentures;

(d) Bonds; and

(e) Temporary bonds.

2. Any net revenue which is derived from the operation of the project which is acquired, improved or equipped (or any combination thereof) under the undertaking must be pledged for the payment of the securities, and those securities must be made payable from that net pledged revenue, as the bond requirements of the securities become due from time to time, in accordance with the bond ordinance, trust indenture, or other proceedings which authorize the issuance of the securities or otherwise pertains to their issuance.

3. Additionally, the securities:

(a) Must be made payable from tax proceeds which are accounted for in the tax increment account; and

(b) May, at the city's option, be made payable from the taxes which are levied by the city against all of the taxable property within the city,

without limitation of rate or amount except for the limitation which is provided in section 2 of article 10 of the Nevada constitution. (The city may also issue general obligation securities which are authorized by any law other than this article and are made payable from taxes without also making those securities payable from the net pledged revenues or tax proceeds which are accounted for in a tax increment account, or from both these revenue sources.)

4. Securities which are payable only in the manner which is provided in either paragraph (a) of subsection 3 or both subsection 2 and paragraph (a) of subsection 3 are special obligations of the city, are neither in their issuance subject to debt limitation which is specified in subsection 1 of section 7.010 of this charter or is otherwise imposed by law, nor, while they are outstanding, do they exhaust the city's debt-incurring power under subsection 1 of section 7.010 of this charter or other law and may be issued under the provisions of the NRS 350.500 to 350.720, inclusive, except as is otherwise provided in this article, without any compliance with the provisions of NRS 350.001 to 350.006, inclusive, or NRS 350.020 to 350.070, inclusive, and without any approval or other preliminaries, except as is provided in NRS 350.500 to 350.720, inclusive.

5. Securities which are payable from taxes in the manner which is provided in paragraph (b) of subsection 3, regardless of whether or not they are also payable in the manner which is provided only in paragraph (a) of that subsection or in both subsection 2 and paragraph (a) of subsection 3, must be general obligations of the city, are in their issuance subject to the debt limitation which is specified in subsection 1 of section 7.010 of this charter or is otherwise imposed by law and, while they are outstanding, exhaust the city's debt-incurring power under subsection 1 of section 7.010 of this charter or other law, and those securities may be issued under NRS 350.500 to 350.720, inclusive, only after the issuance of city bonds is approved under the provisions of:

(a) NRS 350.001 to 350.006, inclusive; and

(b) NRS 350.020 to 350.070, inclusive, except for the issuance of notes or warrants pursuant to NRS 350.500 to 350.720, inclusive, which are payable out of the current year's revenues and are not to be funded with the proceeds of interim debentures or bonds in the absence of approval under the provisions of the law which are designated in paragraphs (a) and (b).

6. In the proceedings for the making of loans or the acquisition of any advance of money or the incurring of any indebtedness, whether it is funded, refunded, assumed or otherwise, for the purpose of financing or refinancing, in whole or in part, the undertaking, wholly or in part, the city shall irrevocably pledge that portion of the taxes which is mentioned in subsection 2 of section 7A.230 of this charter for the payment of the bond requirements of the loans, advances or indebtedness. The provisions in NRS 350.500 to 350.720, inclusive, which pertain to net pledged revenues apply to the pledge to secure the payment of the tax increment bonds.

Sec. 7A.250 Cooperative powers. The city also has the following powers:

1. To accept contributions or loans from the Federal Government, the state or any public body (or any combination of those entities) to finance the planning, acquisition, improvement, equipping, maintenance and operation of any enterprise which pertains to an undertaking in which the city is authorized to engage and to enter into contracts and cooperate with and accept cooperation from the Federal Government, the state or any public body (or any combination of those entities) in the planning, acquisition, improvement, equipping, maintenance and operation and in the financing of the planning, acquisition, improvement, equipping, maintenance and operation of that enterprise in accordance with any legislation which Congress, the state legislature or any governing body or legislative body of any public body (or any combination of those bodies) may have adopted or may, after the effective date of this charter, adopt, under which aid, assistance and cooperation may be furnished by the Federal Government, the state or public body (or any combination of those entities) in the planning, acquisition, improvement, equipping, maintenance and operation or in the financing of the planning, acquisition, improvement, equipping, maintenance and operation of any enterprise, including without limitation the costs of engineering, architectural and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures and other action which is preliminary to the acquisition, improvement or equipping of any project and to do anything which is necessary in order to avail itself of the aid, assistance and cooperation which may be available under any federal or state legislation which is now in existence or may, after the effective date of this charter, be enacted.

2. To enter into and perform, without any election, joint operating or service contracts and agreements, acquisition, improvement, equipment or disposal contracts or other arrangements, for any term which does not exceed 50 years, with the Federal Government, the state and any public body (or any combination of those entities) with respect to the undertaking, and any project or property which pertains thereto, whether it is acquired by the city, by the Federal Government, by the state or by any public body, and to accept grants and contributions from the Federal Government, the state, any public body, or any person (or any combination of those entities) in connection with those contracts, agreements and arrangements.

3. To enter into and perform, without any election, when it is determined by the city council to be in the public interest, contracts and agreements, for any term which does not exceed 50 years, with the Federal Government, the state, any public body or any person (or any combination of those entities) for the provision and operation by the city of any facilities, whether or not they pertain to the undertaking of the city or any project which relates to that undertaking and the payment periodically by the Federal Government, the state, the public body or the person (or any combination of those entities) to the city of amounts which are at least sufficient, if any, in the determination of the city

council, to compensate the city for the cost of providing, operating and maintaining the facilities which serve the Federal Government, the state, the public body or the person, or otherwise.

4. To enter into and perform, without any election, contracts and agreements with the Federal Government, the state, any public body or any person (or combination of those entities) for or with respect to the planning, construction, lease or other acquisition, improvement, equipping, operation, maintenance, disposal and financing of any property which pertains to the facilities of the city or to any undertaking or any project of the city, or otherwise, including without limitation any contract or agreement for any term which does not exceed 50 years.

5. To cooperate with and act in conjunction with the Federal Government or any of its engineers, officers, boards, commissions or departments, or with the state or any of its engineers, officers, boards, commissions or departments, or with any public body or with any person in the acquisition, improvement or equipping of any facilities or any project which is authorized for the city or for any other work, act or purpose which is provided for in this article and to adopt and carry out any definite plan or system of work for that purpose.

6. To cooperate with the Federal Government, the state or any public body (or any combination of those entities) by an agreement with any or all of those entities by which the city may:

(a) Acquire and provide, without cost to the cooperating entity, the land, easements and rights of way which are necessary for the acquisition, improvement or equipping (or any combination thereof) of any properties which pertain to the undertaking or any other facility;

(b) Hold and save harmless the cooperating entity free from any claim for damages which may arise from the acquisition, improvement, equipping, maintenance and operation (or any combination thereof) of any facility;

(c) Maintain and operate any facility in accordance with the regulations which are prescribed by the cooperating entity; and

(d) Adopt and enforce regulations, if any, with respect to the facilities and which are satisfactory to the cooperating entity.

7. To provide, by any contract, for any term which does not exceed 50 years, or otherwise, without an election:

(a) For the joint use of the personnel, equipment and facilities of the city, the Federal Government, the state and any public body (or any combination of those entities) including without limitation public buildings which are constructed by or under the supervision of the city council or by the governing body or legislative body of the other party to the contract, upon such terms and agreements and within such areas within the city as may be determined, for the promotion and protection of the public health, safety, prosperity, security, comfort, convenience, general welfare and property of the inhabitants of the city, the Federal Government, the state, any public body and any person of interest, as the case may be; and

(b) For the joint employment of clerks, stenographers and other employees which pertain to the facilities, any project or the undertaking which now exist or may, after the effective date of this charter, be

established in the city upon such terms and conditions as may be determined for the equitable apportionment of the expenses which result from that employment.

8. In connection with any facility of the city, or any part of any facility which is acquired or proposed in connection with an undertaking, or with any project, to consult with any regulatory or other agency of the Federal Government, the state or any public body and to submit plans, specifications or other instruments or documents (or any combination thereof) to that governmental agency for its review, recommendations and other comments.

Sec. 7A.260 Public purpose. The exercise of any power which is authorized in this article by the city council on behalf of the city has been determined and is hereby declared to effect a public purpose, and any undertaking which is authorized in this article also effects a public purpose.

Sec. 7A.270 Sufficiency of article.

1. This article, without reference to other statutes of the state, except as is otherwise expressly provided in this article, constitutes full authority for the exercise of the powers which are granted in this article.

2. No other law with respect to the exercise of any power which is granted in this article that provides for an election, requires an approval or in any way impedes or restricts the carrying out of the acts which are authorized by this article to be done may be construed as applying to any proceeding which is taken under this article or act done pursuant to this article, except as is provided in this article.

3. The powers which are granted by this article are in addition and supplemental to, and not in substitution for any other law, and the limitations which are imposed by this article do not affect the powers which are granted by any other law.

4. No part of this article repeals or affects any other law or part thereof, it being intended that this article merely provides a separate method of accomplishing its objectives, rather than the exclusive one.''.

Amend the summary of the bill to read: ''Amends city charter of North Las Vegas to authorize establishment of tax increment areas.''.

Assemblyman Collins moved the adoption of the amendment.

Remarks by Assemblyman Collins.

Amendment adopted.

Assemblyman Dini moved that Assembly Bill No. 570 be re-referred to the Committee on Government Affairs.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 571.

Bill read second time.

The following amendments were proposed by the Committee on Labor and Management:

Amendment No. 872.

Amend section 1, page 1, line 4, by deleting ''panels,'' and inserting ''panels . [,''.

Amend section 1, page 1, line 5, by deleting "[.] *and two chiropractors.*" and inserting ".]".

Amend section 1, page 1, line 7, after "specialty," by inserting "*two psychiatrists,*".

Amend section 1, page 1, line 19, by deleting "physicians *or chiropractors*" and inserting "[physicians] *members*".

Amend the title of the bill, first line, by deleting "chiropractors" and inserting "chiropractors and psychiatrists".

Amend the summary of the bill, first line, after "chiropractors" by inserting "and psychiatrists".

Amendment No. 873.

Amend section 1, page 1, line 15, by deleting: "administrator or the self-high insured employer," and inserting: "[administrator or the self-insured employer,] *chairman of the panel,*".

Assemblyman Banner moved the adoption of the amendments.

Remarks by Assemblyman Banner.

Amendments adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 575.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 858.

Amend section 1, page 1, line 3, by deleting "*under protocol*" and inserting: "*, under protocol and only by written prescription,*".

Amend sec. 4, page 4, line 13, after "*prescribe*" by inserting: "*, by written prescription only,*".

Amend sec. 7, pages 5 and 6, by deleting lines 28 through 42 on page 5 and lines 1 through 8 on page 6 and inserting:

"454.480 1. Hypodermic devices may be sold by pharmacists on the prescription of a physician, dentist or veterinarian. Such prescriptions must be filed as required by NRS 639.236, and may be refilled as authorized by the prescriber. Records of refilling must be maintained as required by NRS 454.236 to 454.276, inclusive.

2. Except as otherwise provided in subsection 3, pharmacists and others holding hypodermic permits, unless the permit limits otherwise, may sell hypodermic devices without prescription for the following purposes:

(a) For use in the treatment of persons having asthma or diabetes.

(b) For use in injecting medications prescribed by a [physician] *practitioner* for the treatment of human beings.

(c) For use in an ambulance for which a permit is held pursuant to NRS 450B.200 or 450B.210.

(d) For the injection of drugs in animals or poultry.

(e) For commercial or industrial use or use by jewelers or other merchants having need for such devices in the conduct of their business, or by hobbyists when the seller is satisfied that the device will be used for legitimate purposes.

(f) For use by funeral directors and embalmers, licensed medical technicians or technologists, or research laboratories.

3. Only pharmacists may sell without prescription any hypodermic device intended for human use, as set forth in paragraphs (a), (b) and (c) of subsection 2.''.

Amend the bill as a whole by adding a new section, designated section 8, following section 7, to read as follows:

''Sec. 8. Section 7 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Amend the title of the bill, by deleting the second line and inserting: ''permit certain registered nurses to prescribe poisons, dangerous drugs and devices under certain circumstances;''.

Assemblyman Chaney moved the adoption of the amendment.

Remarks by Assemblyman Chaney.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 582.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 886.

Amend section 1, page 1, line 4, by deleting ''*and upon*'' and inserting: ''. *If the law enforcement agency agrees to perform the service and accepts*.

Amend section 1, page 2, after line 4 by inserting:

''*4. Any other person, firm or corporation that fingerprints children for identification purposes shall take the fingerprints in a manner which meets the standards set by the Federal Bureau of Investigation as those standards exist on July 1, 1983.*.

Amend the title of the bill, sixth line, after ''child;'' by inserting: ''requiring persons who fingerprint such children to do so in a certain manner;''.

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblyman Humke.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 17.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 859.

Amend section 1, page 1, by deleting lines 11 through 14 and inserting:

''*(f) An estimate of the tax rate necessary to provide for debt service upon the obligations for each date when they are to be issued or incurred. The county assessor shall, for each such date, estimate the assessed value of the property against which the obligations are to be issued or incurred, and the governing body shall estimate the tax rate*

based upon the assessed value of the property as given in the assessor's estimates.''.

Amend the bill as a whole by deleting section 2.

Amend the title of the bill to read as follows:

''An Act relating to municipal obligations; requiring that the notice of election contain an estimate of the tax rate necessary for debt service if the obligations are issued or incurred; and providing other matters properly relating thereto.''.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Senate Bill No. 177 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Dini.

Motion carried.

Assemblyman Getto moved that Assembly Bill No. 345 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Getto.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 273.

Bill read third time.

Remarks by Assemblymen Perry and Bourne.

Roll call on Assembly Bill No. 273:

YEAS—41.

NAYS—None.

Not voting—Nicholas.

Assembly Bill No. 273 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 300.

Bill read third time.

Remarks by Assemblyman Berkley.

Roll call on Assembly Bill No. 300:

YEAS—42.

NAYS—None.

Assembly Bill No. 300 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 353.

Bill read third time.

Remarks by Assemblymen Thomas, Bogaert and Jeffrey.

Roll call on Assembly Bill No. 353:

YEAS—34.

NAYS—Bogaert, Bremner, Chaney, Dini, Marvel, Perry, Price, Mr. Speaker—8.

Assembly Bill No. 353 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 366.

Bill read third time.

Remarks by Assemblymen Nevin, Stone and Bourne.

Roll call on Assembly Bill No. 366:

YEAS—42.

NAYS—None.

Assembly Bill No. 366 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 416.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 416:

YEAS—40.

NAYS—Bergevin, Marvel—2.

Assembly Bill No. 416 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 496.

Bill read third time.

Remarks by Assemblyman Craddock.

Roll call on Assembly Bill No. 496:

YEAS—42.

NAYS—None.

Assembly Bill No. 496 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 262.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Senate Bill No. 262.

YEAS—42.

NAYS—None.

Senate Bill No. 262 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 314.

Bill read third time.

Remarks by Assemblyman Swain.
Roll call on Senate Bill No. 314:
YEAS—42.
NAYS—None.

Senate Bill No. 314 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 315.
Bill read third time.
Remarks by Assemblyman Bilyeu.
Roll call on Senate Bill No. 315:
YEAS—42.
NAYS—None.

Senate Bill No. 315 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 379.
Bill read third time.
Remarks by Assemblyman Coffin.
Roll call on Senate Bill No. 379:
YEAS—42.
NAYS—None.

Senate Bill No. 379 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 398.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 398:
YEAS—42.
NAYS—None.

Senate Bill No. 398 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 261.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Senate Bill No. 261:
YEAS—42.
NAYS—None.

Senate Bill No. 261 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 295.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 295:
YEAS—41.
NAYS—Stone.

Senate Bill No. 295 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 599.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 599:
YEAS—42.
NAYS—None.

Assembly Bill No. 599 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 182.
Bill read third time.
Remarks by Assemblyman Bourne.
Roll call on Senate Bill No. 182:
YEAS—41.
NAYS—None.
Not voting—Coffin.

Senate Bill No. 182 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 199.
Bill read third time.
Remarks by Assemblyman Bogaert.
Roll call on Senate Bill No. 199:
YEAS—41.
NAYS—None.
Not voting—Coffin.

Senate Bill No. 199 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 305.
Bill read third time.
Remarks by Assemblyman Berkley.
Roll call on Senate Bill No. 305:
YEAS—42.
NAYS—None.

Senate Bill No. 305 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 319.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Senate Bill No. 319:

YEAS—42.
NAYS—None.

Senate Bill No. 319 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 335.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Senate Bill No. 335:

YEAS—40.
NAYS—Coffin.
Not voting—Dini.

Senate Bill No. 335 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bilyeu moved that Senate Bill No. 339 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Bilyeu.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 369.
Bill read third time.
Remarks by Assemblymen Swain, Nicholas and Stone.
Roll call on Senate Bill No. 369:

YEAS—42.
NAYS—None.

Senate Bill No. 369 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 386.
Bill read third time.
Remarks by Assemblyman Ham.
Roll call on Senate Bill No. 386:

YEAS—42.
NAYS—None.

Senate Bill No. 386 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 400.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Senate Bill No. 400:

YEAS—42.
NAYS—None.

Senate Bill No. 400 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 276.
Bill read third time.
Remarks by Assemblyman Malone.
Roll call on Assembly Bill No. 276:

YEAS—42.
NAYS—None.

Assembly Bill No. 276 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 471.
Bill read third time.
Remarks by Assemblyman Banner.
Roll call on Assembly Bill No. 471:

YEAS—35.
NAYS—Bergevin, Brady, Ham, Humke, Marvel, Nicholas, Stewart—7.

Assembly Bill No. 471 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 105.
Bill read third time.
Remarks by Assemblyman Thompson.
Roll call on Senate Bill No. 105:

YEAS—42.
NAYS—None.

Senate Bill No. 105 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 132.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 132:

YEAS—42.
NAYS—None.

Senate Bill No. 132 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 189.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Senate Bill No. 189:
YEAS—42.
NAYS—None.
Senate Bill No. 189 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 411.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 411:
YEAS—42.
NAYS—None.
Senate Bill No. 411 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 14.
Resolution read third time.
Remarks by Assemblymen Bilyeu and Price.
Roll call on Senate Joint Resolution No. 14:
YEAS—41.
NAYS—None.
Absent—Chaney.
Senate Joint Resolution No. 14 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Senate Bill No. 177.
Bill read third time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 876.
Amend sec. 3, page 2, line 31, by deleting "*The*" and inserting "*2. The*".
Amend sec. 3, page 2, line 37, by deleting "*2.*" and inserting "*3.*".
Amend sec. 6, page 4, line 11, after "*investigation*" by inserting "*and hearing*".
Assemblyman Dini moved the adoption of the amendment.
Remarks by Assemblyman Dini.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 345.
Bill read third time.
The following amendment was proposed by Assemblyman Getto:
Amendment No. 803.
Amend sec. 2, page 2, between lines 17 and 18 by inserting:

"*(g) Against any individual member of the agency.*".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblyman Getto.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, to which was referred Senate Bill No. 91, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 517, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

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

Assembly in recess at 12:56 p.m.

ASSEMBLY IN SESSION

At 1:02 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 10, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 94, 192, 265, 277, 403, 404, 418, 451, 493, 512, 552.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 258, 320, 424, 442, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 25.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Joint Resolution No. 11, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 46.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 395.

MAE LOFTHOUSE
Assistant Secretary of the Senate

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 549, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 585, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LONIE CHANEY, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Nevin, Sedway and Marvel:

Assembly Bill No. 655—An Act relating to public utilities; requiring that taxes of local governments which are imposed upon certain public utilities as a condition of doing business and which are based on the utilities' revenue be approved or disapproved by the Nevada tax commission; limiting the power of cities to make such taxes effective; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 395.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 517.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 866.

Amend section 1, page 1, line 8, by deleting "shall" and inserting "[shall] *may*".

Amend section 1, page 2, line 7, by deleting "*shall*" and inserting "*may*".

Amend the bill as a whole by renumbering sections 2 and 3 as sections 3 and 4 and adding a new section, designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 338.170 is hereby amended to read as follows:

338.170 1. When a public body and a contractor enter into a contract for the construction, alteration or repair of public works, the contractor may withhold 10 percent from the amount of any partial payment under a subcontract which is made before 50 percent of the work has been completed under the subcontract. Thereafter the contractor shall pay any additional installments due under the subcontract without retaining any additional funds if, in the opinion of the contractor, satisfactory progress is being made in the work under the subcontract, and

the payment must be equal to that paid by the public body to the contractor for the work performed by the subcontractor.

2. The contractor may retain the amount withheld under the subcontract until the subcontract is satisfactorily completed.

3. The amount withheld under the subcontract is due [and payable within a reasonable time following] *within 15 days after* the acceptance of the subcontract work by the contractor.

4. Whenever the contractor receives a payment of interest earned on the amount withheld from the contract, he shall within [a reasonable time] *15 days* pay to each subcontractor that portion of the interest received from the state which is attributable to the amount of money withheld from the subcontractor.''.

Amend sec. 3, page 3, line 42, by deleting ''2'' after ''Section'' and before ''of this act'' and inserting ''3''.

Amend the title of the bill by inserting on second line after ''body;'' ''specifying the time when an amount withheld must be paid to a subcontractor;''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 91.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 308.

Amend sec. 2, page 1, line 4, after ''*association*'' by inserting: '', *any committee for political action or sponsored by a political party*''.

Amend sec. 3, page 1, by deleting lines 13 through 16 and inserting:

''*(a) Fifteen days before the primary election, for the period from the last election, for that office to 20 days before the primary election;*

(b) Fifteen days before the general election, whether or not the candidate won the primary election, for the period from 20 days before the''.

Amend sec. 3, page 2, line 5, after ''*state.*'' by inserting: ''*The report must also include identification of expenditures which the person made cumulatively in excess of $500 since the beginning of the first reporting period. The report must not include any contributions which are required to be reported by a candidate pursuant to NRS 294A.010.*''.

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

The following amendment was proposed by Assemblyman Sader:

Amendment No. 727.

Amend sec. 3, page 2, line 9, after ''*report.*'' by inserting: ''*Expenditures made to communicate with the group's own members on behalf of or against a candidate or group of candidates must not be included in the report.*''.

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Humke, Bourne, Berkley, Craddock, Kerns, Bilyeu, Francis, Joerg, Sedway, DuBois, Redelsperger, Nicholas, Chaney, Stone, Banner, Nevin, Fay, Thompson and Kovacs:

Assembly Concurrent Resolution No. 47—Directing the legislative commission to review and evaluate the comprehensive statewide plan for services to aid abused and neglected children.

Assemblyman Humke moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assemblyman Bremner moved that Assembly Bill No. 78 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 11.

The following Senate amendment was read:

Amendment No. 841.

Amend the resolution, page 2, line 2, after "*jointly,*" by inserting: "That the Nevada legislature hereby urges the Congress of the United States to prohibit the construction of a temporary or permanent storage facility or repository of high-level radioactive waste at the Nevada Test Site; and be it further *Resolved,*"

Amend the title of the bill, first and second lines, by deleting: "Requesting Congress and the Department of Energy to mitigate the consequences of any storage of" and inserting: "Urging the Congress of the United States to prohibit the storage of high-level".

Amend the summary of the bill, first line, by deleting: "mitigate the consequences of any storage of" and inserting "prohibit storage of".

Assemblyman Thompson moved that the Assembly do not concur in the Senate amendment to Assembly Joint Resolution No. 11.

Motion carried.

Resolution ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Asssembly Bill No. 549.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 879.

Amend sec. 2, pages 1 and 2, by deleting lines 3 through 16 on page 1 and lines 1 through 32 on page 2 and inserting:

"Sec. 2. 1. The legislature finds that:

(a) The airport of the town of Battle Mountain has traditionally been operated by the town as a municipal function and originally served primarily the residents of the town of Battle Mountain.

(b) With the development of multiple contiguous communities, suburban living and rapid increases in recreational pursuits by the traveling public, the airport of the town of Battle Mountain is now serving the inhabitants of a large geographical area and ever-increasing numbers of tourists.

(c) What was once a municipal airport in both name and fact is now a regional airport.

(d) The financial problems of the airports have become more complex and administrative activities are required to be more responsive to the community at large and the directly paying airport tenants and users.

(e) The town of Battle Mountain is unable to operate the airport effectively within the traditional framework of local government, evidencing the need to create a special governmental corporation to provide specific facilities and services to the public.

(f) Development of the modern airport requires the expenditure of large sums of money for land acquisition and capital improvements not available to the town of Battle Mountain through the issuance of municipal securities secured by general obligation tax receipts.

(g) Because of special circumstances and conditions a general law cannot be made applicable, and this special act will allow the tax burden to spread over the designated district in Lander County rather than coming to rest solely upon the principal municipality in the district.

(h) This act will accommodate the expanding urban population patterns, provide adequate funding and establish the administrative machinery necessary to insure adequate air service to the region.

2. It is hereby declared as a matter of legislative determination that:

(a) The organization of the Airport Authority of Lander County having the purposes, powers, rights, privileges and immunities provided in this act will serve a public use and will promote the general welfare by facilitating safe and convenient air travel and transport to and from the Lander County area.

(b) The acquisition, operation and financing of an airport in Battle Mountain and related facilities by the Airport Authority of Lander County is for a public and governmental purpose and a matter of public necessity.

(c) The Airport Authority of Lander County is a body corporate and politic and a quasi-municipal corporation, the geographical boundaries of which are in the designated district.

(d) For the accomplishment of the purposes stated in this subsection, the provisions of this act must be broadly construed.''.

Amend sec. 3, page 3, line 7, after ''5.'' by inserting: ''Designated district'' means that portion of Lander County lying north of the 40th parallel.

6.''.

Amend sec. 5, page 3, by deleting lines 13 through 28 and inserting:

''Sec. 5. 1. The authority must be governed by a board of

trustees composed of seven persons who are residents of the designated district.

2. After the initial terms, the members must be elected for terms of 4 years.

3. Within 60 days after the effective date of this act:

(a) The board of county commissioners of Lander County shall appoint from the designated district four trustees to initial terms which expire when their successors are elected and qualified at the general election held in November of 1986.

(b) The Lander County Fair and Recreation Board shall appoint from the designated area two trustees to initial terms which expire when their successors are elected and qualified in the general election held in November of 1984.

(c) The Lander County School District shall appoint from the designated area one trustee to an initial term which expires when his successor is elected and qualified in the general election held in November of 1984.''.

Amend sec. 6, page 3, lines 35 and 36, by deleting: ''hold any elective office,''.

Amend sec. 7, page 4, by deleting lines 1 through 20 and inserting:

''Sec. 7. 1. The board shall elect a chairman, vice chairman, secretary and treasurer, who must be members of the board. The secretary and the treasurer may be one person. The terms of the officers expire on the date their successors are elected and qualified in the general election.

2. The secretary shall keep, in a well-bound book, a record of all of the proceedings of the board, minutes of all meetings, certificates, contracts, bonds given by employees, and all other acts of the board. The minute book and records must be open to the inspection of all interested persons, at all reasonable times and places.

3. The treasurer shall keep, in permanent records, strict and accurate accounts of all money received by and disbursed for and on behalf of the board and the authority. He shall file with the county clerk, at authority expense, a corporate fidelity bond in an amount not less than $25,000, conditioned for the faithful performance of his duties.''.

Amend sec. 10, page 5, by deleting lines 1 through 28 and inserting:

''6. Enter into agreements with Lander County and Battle Mountain to acquire, by lease, gift, purchase or otherwise, any airport of the county or municipality and to operate the airport.

7. Exercise the power of eminent domain and dominant eminent domain in the manner provided by law for the condemnation by a town of private property for public use to take any property necessary to the exercise of the powers granted, within the designated district in Lander County.

8. Apply directly to the proper federal, state, county and municipal officials and agencies or to any other source, public or private, for loans, grants, guarantees or other financial assistance in aid of airports operated by it, and accept the same.

9. Study and recommend to the board of county commissioners of Lander County and the town council of Battle Mountain zoning changes

in the area of any airport operated by the authority with respect to height and aviation obstructions in order to enable the authority to meet the requirements of any Federal Aviation Administration regulations.

10. Have control of its airports with the right and duty to establish and charge fees, rentals, rates and other charges, and collect revenues therefrom, not inconsistent with the rights of the holders of its bonds, and enter into agreements with carriers for the payment of landing fees, rental rates and other charges.

11. Use in the performance of its functions the officers, agents, employees, services, facilities, records and equipment of Lander County or Battle Mountain, with the consent of the county or municipality and subject to such terms and conditions as may be agreed upon.''.

Amend sec. 22, page 8, line 40, after ''board'' by inserting: ''of county commissioners of Lander County''.

Amend sec. 25, page 9, lines 42 and 43, by deleting: ''percent the Dow Jones Municipal Bond Index which'' and inserting ''percent:

(a) For general obligations, the Index of Twenty Bonds; and

(b) For special obligations, the Index of Revenue Bonds,

which''.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 585.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 870.

Amend sec. 4, page 2, by deleting lines 23 through 27 and inserting:

''439A.030 1. The council consists of at least [16 representatives appointed by the governor from the respective health systems agencies.] *7 members appointed by the governor. Not less than 50 nor more than 60 percent of the members of the council must be persons who are recipients of health services and not providers of health services.*''.

Amend sec. 6, page 4, by deleting line 12 and inserting ''under the Federal Act.''.

Assemblyman Chaney moved the adoption of the amendment.

Remarks by Assemblyman Chaney.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 78.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 718.

Amend the bill as a whole by deleting section 1 and adding new sections, designated as sections 1 and 2, following the enacting clause, to read as follows:

"Section 1. NRS 440.130 is hereby amended to read as follows:

440.130 *1.* The board shall prepare, print and supply to all local health officers all blanks and forms used in registering, recording and preserving the returns, or in otherwise carrying out the purposes of this chapter.

2. The state registrar shall charge for each blank certificate of birth, death or stillbirth a fee of $1.

Sec. 2. NRS 440.175 is hereby amended to read as follows:

440.175 1. Upon request, the state registrar may furnish statistical data to any federal, state, local or other public or private agency, upon such terms or conditions as may be prescribed by the board.

2. No person may prepare or issue any document which purports to be an original, certified copy or official copy of:

(a) A certificate of birth, death or fetal death, except as authorized in this chapter or by the board.

(b) A certificate of marriage, except a county recorder or a person so required pursuant to NRS 122.120.

(c) A decree of divorce or annulment of marriage, except a county clerk or the judge of a court of record.

3. A person or governmental organization which issues certified or official copies pursuant to paragraph (a) of subsection 2 shall remit to the state registrar $2 for each registration of a birth or death in its district.".

Amend the title of the bill to read:

"An Act relating to vital statistics; requiring the state board of health to charge a fee for blank certificates of birth, stillbirth and death; imposing a charge for the privilege of providing certified or official copies; and providing other matters properly relating thereto.".

Amend the summary of the bill to read: "Imposes charges for blank certificates of birth, death or stillbirth and for privilege of providing certified or official copies.".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 426, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 258.

The following Senate amendment was read:

Amendment No. 799.

Amend the bill as a whole by renumbering sections 3 through 6 as sections 4 through 7 and adding a new section designated section 3, following section 2, to read as follows:

"Sec. 3. Section 2.285 of the charter of Carson City, being chapter 690, Statutes of Nevada 1979, at page 1857, is hereby amended to read as follows:

Sec. 2.285 Power of board: Ambulance franchise. The board may *:* [grant]

1. Grant an exclusive franchise to provide ambulance services or to operate an ambulance within Carson City [.] *; or*

2. Provide ambulance services or operate an ambulance within Carson City, exclusively or in conjunction with others.".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 258.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 320.

The following Senate amendment was read:

Amendment No. 714.

Amend the bill as a whole by adding new sections, designated sections 2 and 3, following section 1, to read as follows:

"Sec. 2. The obligation of this state during the fiscal biennium beginning on July 1, 1983, to make any changes in its existing buildings which would otherwise be required pursuant to chapter 659, Statutes of Nevada 1981, is limited to those buildings in state institutions which contain permanent accommodations for sleeping.

Sec. 3. Section 13 of chapter 659, Statutes of Nevada 1981, at page 1571, is hereby amended to read as follows:

Sec. 13. 1. Each authority as defined in section 2 of this act shall, within 12 months after the effective date of this act, complete a survey of each building within its jurisdiction subject to the provisions of sections 3 to 8, inclusive, of this act.

2. When the authority completes its survey of a building, it shall immediately furnish a copy of the survey to the owner or operator of the building.

3. [The] *Except as limited by section 2 of this amendatory act, the* owner or operator shall:

(a) Furnish to the authority within 6 months after receiving the copy of the survey his plans to effect the corrections identified by the survey as necessary for compliance with sections 3 to 8, inclusive, of this act.

(b) Make all of those corrections within 36 months after the effective date of this act.

4. The board of fire safety may waive the times prescribed in this section for:

(a) Completion of surveys by a responsible authority; and

(b) Submission of plans or completion of work, or both, by an owner or operator,

if the applicant for the waiver demonstrates an appropriate effort and a genuine inability to comply within the time prescribed.''.

Amend the title of the bill, second line, after ''sprinklers;'' by inserting: ''deferring related changes in state buildings except where there are permanent accommodations for sleeping;''.

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 320.

Remarks by Assemblyman Kerns.

Motion carried.

Bill ordered enrolled.

SECOND READING AND AMENDMENT

Assembly Bill No. 426.

Bill read second time.

The following amendment was proposed by Assemblyman Berkley:

Amendment No. 857.

Amend sec. 2, page 1, by deleting lines 7 and 8 and inserting: ''*to manage the operation of the park and be available to the tenants in emergencies on a 24-hour basis.*''.

Amend sec. 3, page 1, line 12, by deleting: ''*of a written request,*'' and inserting: ''*by the landlord or his agent of a written request which has been signed by 20 percent of the tenants occupying the park,*''.

Amend sec. 4, page 2, by deleting line 25 and inserting: ''*ration, the name and address of the resident agent and the president of the corporation.*''.

Amend sec. 5, page 2, by deleting lines 41 and 42 and inserting: ''*and, if the owner is a corporation, the name and address of the resident agent and the president of the corporation,*''.

Amend sec. 6, page 3, lines 11 and 12, by deleting: ''*bank or savings and loan association*'' and inserting ''*financial institution*''.

Amend sec. 6, page 3, line 20, by deleting ''*5.5*'' and inserting ''*5*''.

Amend sec. 6, page 3, by deleting line 22 and inserting: ''*termination of the tenancy.*''.

Amend sec. 8, page 4, line 29, by deleting ''*60*'' and inserting ''*30*''.

Amend sec. 9, page 4, by deleting lines 33 through 44 and inserting:

''Sec. 9. (Deleted by amendment.)''.

Amend sec. 10, page 5, line 21, by deleting ''park. ['' and inserting ''park [.''.

Amend sec. 11, page 6, by deleting line 8 and inserting: ''[Prohibit] *Except as otherwise provided in this subsection, prohibit* or require fees for any meetings''.

Amend sec. 11, page 6, line 14, after ''meetings.'' by inserting:

"*The landlord may charge the tenant who requested the use of the facility for any damage which occurred or cleaning which is required as a result of the meeting.*".

Amend sec. 11, page 6, line 19, by deleting ". [".

Amend sec. 11, page 6, line 22, by deleting the closing bracket.

Amend sec. 12, page 6, line 36, after "*prospective*" and inserting "*qualified*".

Amend sec. 12, page 6, lines 41 and 42, by deleting: "*and the administrator of the manufactured housing division of the department of commerce*".

Amend sec. 13, page 7, by deleting lines 12 through 22 and inserting:

"(a) Five days in advance if the termination is because the conduct of the tenant constitutes a nuisance as described in subsection 7 of NRS 118.295.

(b) Ten days in advance if the termination is because of failure of the tenant to pay rent, utility charges or reasonable service fees.

(c) Ninety days in advance if the termination is because of a change in the use of the land by the landlord pursuant to NRS 118.285.

(d) Forty-five days in advance if the termination is for any".

Amend sec. 14, page 8, by deleting lines 23 through 25 and inserting:

"5. Condemnation [or a change in land use] of the park to a use other than a mobile home park if the landlord notifies the tenant in writing at least 6 months before the termination or pays the cost of moving the tenants mobile home to a new location no more than 10 miles distant;

6. A change in land use of the park to a use other than a mobile home park if the landlord notifies the tenant in writing at least 6 months before the termination and pays the".

Amend sec. 14, page 8, line 28, by deleting "6." and inserting "[6.] *7.*".

Amend sec. 14, page 8, line 30, by deleting "7." and inserting "[7.] *8.*".

Amend sec. 15, page 8, by deleting lines 32 through 39 and inserting:

"Sec. 15. (Deleted by amendment.)".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 256, 417, 423, 429, 507, 522; Senate Bills Nos. 104, 179, 211, 241, 275, 329, 332, 337; Assembly Joint Resolution No. 16; Senate Joint Resolutions Nos. 17, 20.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bremner, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Anthony Lockard and Ms. Ina Wagner.

On request of Assemblyman Sedway, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Carol Paul.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Randy Travis.

On request of Assemblyman Getto, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Sally Zamora.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Ginger Ewell.

On request of Assemblyman Perry, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Janice Warthen.

On request of Assemblyman Kerns, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Rice, Kirk, Miss Miller and sixth grade class from Roy H. Gomm School, Reno, Nevada: Chad Bible, Julie chang, Matt Fockler, Hermann Hofer, Cory Jones, Lance Kirk, Tony Lockard, Greg Mensching, Brent Nickerson, Kelly North, Greg Potts, Shannon Sims, Steven Suchy, Cindy Trantham, Chris Updegraft, Mimi Ward, Amy Williams, Terra Wilsey, Jody Rice, Shormani Herrera, Dung Trang, Debbi Welch and Nate Lance.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to students from Incline Middle School, Incline Village, Nevada: Richard Ayala, Doug Brown, Holly Cathcart, Brent Clifford, Nicole Coneil, Kahele Dunn, John Fadden, Franchesca Forrer, Kristin Franz, Melinda Hallen, Sean Hebel, Klaus Johanns, Kathy LaRock, Mike Lavatai, Halli Reiser, Melissa Scialfa, Kyle Stoner; Ms. Susan C. Green and Mr. Bill Cass.

Assemblyman Stewart moved that the Assembly adjourn until Wednesday, May 11, 1983, at 10:45 a.m.

Mstion carried.

Assembly adjourned at 1:26 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND FIFTEENTH DAY

CARSON CITY (Wednesday), May 11, 1983

Assembly called to order at 10:53 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Terry W. Arnold.

Father in Heaven, we thank you for this day. We thank you for the possibilities and opportunities that you have given us to serve you. We ask you to be with these men and women, that you would help them to accomplish their work with joy, with precision and with competence. Father, we pray a special blessing upon their families during this tense time, that their families might not be neglected, but might realize the importance of their great task. These things we pray in the name of our Lord and Saviour, Jesus Christ.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 559; Senate Bill No. 303, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 598; Senate Bill No. 318, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 382, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 188, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 340, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bills Nos. 638, 643; Senate Bills Nos. 71, 207, 407, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 406, 592, 595; Senate Bills Nos. 161, 345, 383, 396, 413, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were re-referred Assembly Bills Nos. 151, 548, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bills Nos. 151 and 548 be placed on the General File.

Motion carried.

Assemblyman Dini moved that Assembly Bill No. 28 be returned from enrollment.

Remarks by Assemblyman Dini.

Motion carried.

Assemblyman Dini moved that the vote whereby Assembly Bill No. 28 was passed be rescinded.

Motion carried.

Assemblyman Stone moved that the vote whereby Assembly Bill No. 411 was passed be rescinded.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 411 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

Assemblyman Dini moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 10:59 a.m.

ASSEMBLY IN SESSION

At 11:12 a.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 11, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 392, 437.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 23.

MAE LOFTHOUSE
Assistant Secretary of the Senate

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 220, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which were referred Assembly Bills Nos. 545, 634, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 449, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 118, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 3 C, which is attached to and hereby made a part of this report.

SUE WAGNER	MIKE MALONE
HELEN A. FOLEY	SHELLY L. BERKLEY
THOMAS J. HICKEY	LEONARD V. NEVIN
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 3 C.

Amend sec. 25, page 6, line 40, by deleting "[shall] *must*" and inserting "must".

Amend sec. 25, page 7, line 2, by deleting "[shall] *must*" and inserting "must".

Amend sec. 25, page 7, by deleting line 4 and inserting:

"2. Credits accumulate as shown in the".

Amend sec. 25, page 7, by deleting lines 20 through 22 and inserting: "The "total good time made" must be deducted from the maximum term imposed by the sentence and, except as provided in subsection 5, applies to eligibility for parole.".

Amend sec. 25, page 7, by inserting between lines 29 and 30:

"5. Good time does not apply to eligibility for parole if a statute

specifies a minimum sentence which must be served before a person becomes eligible for parole.''.

Amend sec. 41, page 14, line 29, by deleting ''Section'' and inserting ''Sections 25 and''.

Assemblyman Malone moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 118.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 188.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 869.

Amend sec. 3, page 2, lines 19 and 20, by deleting: '', *consisting of not more than 24 units of study or training*''.

Amend sec. 5, page 3, by deleting line 2 and inserting: ''*$60* nor more than [$80] *$120,* as determined by''.

Amend sec. 7, page 3, line 39, by deleting ''*''family mediator,''*''.

Amend the bill as a whole by deleting section 8.

Amend the title of the bill to read as follows:

''An Act relating to marriage and family counseling; providing for a requirement for continuing education; increasing certain fees; permitting and proscribing respectively the use of certain titles; and providing other matters properly relating thereto.''.

Assemblyman Chaney moved the adoption of the amendment.

Remarks by Assemblyman Chaney.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 382.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 846.

Amend sec. 2, page 1, line 7, by deleting ''*June*'' and inserting ''*September*''.

Amend sec. 3, page 2, by deleting line 5 and inserting: ''p.m. of the [3rd] *1st* Wednesday in July.''.

Amend sec. 4, page 3, line 13, by deleting: ''*1st Monday in March*'' and inserting: ''*last Monday in May*''.

Amend sec. 4, page 3, line 14, by deleting: ''*1st Friday in April,*'' and inserting: ''*last Friday in June,*''.

Amend sec. 5, page 3, lines 27 and 28, by deleting: ''Monday in July,] *3rd Monday in April,*'' and inserting: ''] *2nd* Monday in July,''.

Amend sec. 6, page 4, line 15, by deleting ''*1st*'' and inserting ''*last*''.

Amend sec. 6, page 4, by deleting lines 16 and 17 and inserting: ''*in May* and not later than 5 p.m. on the [last] *2nd* Friday in June.''.

Amend sec. 6, page 4, line 29, after ''[3rd'' by inserting ''] *1st*''.

Amend sec. 6, page 4, line 30, by deleting: "] *2nd Wednesday in April.*".

Amend sec. 6, page 4, by deleting lines 32 and 33 and inserting: "days and not more than 10 days after the [3rd] *1st* Wednesday in July.".

Amend sec. 7, page 4, lines 41 and 42, by deleting: "*4th Wednesday in March*" and inserting: "*2nd Wednesday in June*".

Amend sec. 8, page 5, by deleting line 6 and inserting: "p.m. on the [4th] *3rd* Thursday in August and".

Amend sec. 9, page 5, by deleting line 18 and inserting: "the [1st Monday in August] *3rd Monday in July* preceding the election.".

Amend sec. 9, page 5, by deleting line 21 and inserting: "the [3rd] *1st* Monday in July preceding the elec-".

Assemblyman Coffin moved the adoption of the amendment.

Remarks by Assemblyman Coffin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 559.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 894.

Amend section 1, page 1, line 3, by deleting "*If*" and inserting:

"*1. Except as otherwise provided in subsection 2, if*".

Amend section 1, page 1, line 4, by deleting "*in Nevada,*" and inserting: "*which is financed to any extent by this state or any political subdivision or other governmental agency deriving its authority from this state,*".

Amend section 1, page 1, by inserting after line 8:

"*2. If any federal statute or regulation would otherwise preclude the receipt of federal assistance for a particular public work because of the provisions of subsection 1, those provisions must not be applied insofar as they would preclude or reduce federal assistance for that work.*".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 303.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 893.

Amend the bill as a whole by deleting section 4 and renumbering sections 5 and 6 as sections 4 and 5.

Amend the title of the bill to read as follows:

"An Act relating to insurance; providing that a resident firm or corporation having several offices is a single licensee; prohibiting a resident from being named on the license of a nonresident firm or corporation; clarifying a provision relating to fictitious names; providing that an agent's license expires if his appointment by an insurer lapses; prohibiting issuance of a license as an associate adjuster to a person holding another license; and providing other matters properly relating thereto.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 220.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 887.

Amend section 1, page 1, line 3, by inserting "*1.*" before "*The state,*".

Amend section 1, page 1, line 4, by deleting: "*the filing of an indictment or information against*" and inserting "*his arraignment.*".

Amend section 1, page 1, by deleting line 5 and inserting: "*Except as otherwise provided in subsection 2, the court may postpone the trial if:*".

Amend section 1, page 1, line 6, by deleting "*1.*" and inserting "*(a)*".

Amend section 1, page 1, line 8, by deleting "2." and inserting "*(b)*".

Amend section 1, page 1, by inserting between lines 9 and 10:

"*2. The court may not postpone the trial if:*

(a) A person 16 years of age or younger or a person 65 years of age or older is a material witness to the alleged offense or the victim of it; or

(b) The alleged offense is a sexual assault as defined in NRS 200.366. The court may grant a continuance in such a trail only upon a written motion by one of the parties and after the court's hearing of the motion and its determination that a continuance is necessary.".

Amend the bill as a whole by adding a new section designated section 3, following section 2, to read as follows:

Sec. 3. NRS 178.594 is hereby amended to read as follows:

178.594 The issues on the calendar must be disposed of in the following order, unless for good cause the court [shall direct an action to be tried out of its order:] *directs an action within subsections 2 to 5, inclusive, to be tried in a different order within those subsections.*

1. *Prosecutions in which:*

(a) A person 16 years of age or younger or a person 65 years of age or older is a material witness to or a victim of the alleged offense; or

(b) The alleged offense is a sexual assault as defined in NRS 200.366.

2. Prosecutions for felony, when the defendant is in custody.

[2.] *3.* Prosecutions for misdemeanor, when the defendant is in custody.

[3.] *4.* Prosecutions for felony, when the defendant is on bail.

[4.] *5.* Prosecutions for misdemeanor, when the defendant is on bail.

Amend the title of the bill by deleting on the second line: "indictment or information" and inserting "arraignment".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblyman Swain.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 449 and 28 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bill No. 545 be taken from the General File and re-referred to the Committee on Commerce.

Remarks by Assemblymen Francis, Jeffrey, Banner, Collins and Thomas.

Assemblymen Francis, Thomas and Zimmer requested a roll call on Assemblyman Jeffrey's motion.

Roll call on Assemblyman Jeffrey's motion:

YEAS—20.

NAYS—Banner, Bergevin, Berkley, Beyer, Bilyeu, Brady, Bremner, Coffin, Craddock, Dini, DuBois, Francis, Ham, Humke, Joerg, Malone, Marvel, Nicholas, Redelsperger, Thomas, Zimmer, Mr. Speaker—22.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

GENERAL FILE AND THIRD READING

Assembly Bill No. 449.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 900.

Amend sec. 3, page 4, line 5, by deleting "NRS 354.5982," and inserting: "section 8 of [this act,] *Senate Bill No. 27 of this session,*".

Amend sec. 3, page 4, line 14, by deleting: "subsections 2 and 3 of NRS 354.5982." and inserting: "sections 9 and 10 of [this act] *Senate Bill No. 27 of this session.*".

Amend sec. 5, pages 5 through 7, by deleting lines 19 through 44 on page 5, lines 1 through 43 on page 6 and lines 1 through 19 on page 7.

Amend sec. 5, page 7, line 20, by deleting "*5.*" and inserting "1.".

Amend sec. 5, page 7, line 21, by deleting "this section" and

inserting: "sections 8 to 10, inclusive, of [this act] *Senate Bill No. 27 of this session*".

Amend sec. 5, page 7, line 31, by deleting "[5.] *6.*" and inserting "2.".

Amend sec. 5, page 7, line 32, by deleting "this section" and inserting: "sections 8 to 10, inclusive, of [this act] *Senate Bill No. 27 of this session*".

Amend sec. 5, page 7, line 37, by inserting a closed bracket after the period.

Amend sec. 5, page 7, line 38, by deleting "6.] *7.*" and inserting "3.".

Amend sec. 5, page 8, line 3, by deleting: "*paragraph (b) of subsection 1*" and inserting: "*subsection 2 of section 8 of Senate Bill No. 27 of this session*".

Amend sec. 5, page 8, by deleting lines 6 and 7 and inserting:

"*4. For the purposes of this section:*

(a) A fire district organized pursuant to chapter 473 of NRS is a local government.

(b) Carson City shall be deemed to constitute a single taxing district.".

Amend sec. 7, page 8, line 25, by deleting "NRS 354.5982," and inserting: "sections 8 to 10, inclusive, of [this act] *Senate Bill No. 27 of this session,*".

Amend sec. 7, page 8, lines 27 and 28, by deleting: "paragraph (a) of subsection 1 of that section," and inserting: "subsection 1 of section 8 of Senate Bill No. 27 of this session,".

Amend sec. 7, page 8, line 29, by deleting "*(a)*" and inserting "*1.*".

Amend sec. 7, page 8, line 32, by deleting "*(b)*" and inserting "*2.*".

Amend sec. 10, page 13, line 7, by deleting "NRS 354.5982;" and inserting: "sections 8 to 10, inclusive, of [this act] *Senate Bill No. 27 of this session;*".

Amend the bill as a whole by renumbering section 14 as section 16 and adding new sections designated sections 14 and 15, following section 13, to read as follows:

"Sec. 14. Section 8 of Senate Bill No. 27 of this session is hereby amended to read as follows:

"Sec. 8. The maximum amount of money which a local government, except a school district or a redevelopment agency, is permitted to receive from taxes ad valorem, other than those levied for the payment of bonded indebtedness and interest thereon incurred as a general or short-term obligation of the issuer, or for the payment of obligations under a capital lease executed before April 30, 1981, must be calculated by:

1. First multiplying the tax rate certified for that local government for the fiscal year ending on June 30, 1981, by its assessed valuation as equalized for the collection of taxes during the fiscal year beginning on July 1, 1981. For the purposes of this subsection:

(a) A county whose actual tax rate, for purposes other than debt

service, for the fiscal year ending on June 30, 1981, was less than 50 cents per $100 of assessed valuation is entitled to the use of a rate not greater than 80 cents per $100 of assessed valuation.

(b) A fire district in such a county whose tax rate was more than 50 cents per $100 of assessed valuation is entitled to the use of a rate not greater than $1.10 per $100 of assessed valuation.

2. Then subtracting the estimated amount to be received by that local government from the supplemental city-county relief tax for the fiscal year for which the tax ad valorem is to be levied. For the fiscal years beginning on and after July 1, 1982, the executive director of the department of taxation shall provide this estimate to the local government on or before February 15 preceding the fiscal year to which it applies. A local government may, on or before March 1 preceding the fiscal year to which the estimate applies, appeal in writing to the [interim legislative committee on local governmental finance,] *Nevada tax commission,* which may increase or decrease the estimate as it finds the facts warrant.

3. Then reducing the amount resulting from subsections 1 and 2 if necessary to bring it within any applicable limit provided in this section.

Sec. 15. Section 9 of Senate Bill No. 27 of this session is hereby amended to read as follows:

Sec. 9. 1. For the fiscal years beginning on and after July 1, 1982, the maximum allowable revenue from the supplemental city-county relief tax and taxes ad valorem, combined, but excluding any tax levied ad valorem for debt service, must be calculated as follows:

(a) Assessed valuation for the preceding fiscal year, [including] *excluding* net proceeds of mines, is added to an amount equal to the product of that assessed valuation multiplied by the percentage increase in the Consumer Price Index for the preceding calendar year. To this sum must be added the assessed value of the new real property, possessory interests and mobile homes added to the assessment rolls in the past year for that local government.

(b) The percentage increase that the total calculated pursuant to paragraph (a) represents over the assessed valuation , *excluding net proceeds of mines,* for the preceding year is the maximum percentage by which the combined amount allowable from the supplemental city-county relief tax and taxes ad valorem may increase over the amount allowed for the preceding year.

2. If the local government levies a tax ad valorem for debt service upon an obligation which has previously been repaid from another source, the combined amount which it may receive pursuant to this section is reduced by the amount of that tax ad valorem.

3. If a board of county commissioners which during the fiscal year ending on June 30, 1981, distributed all or part of the state gaming license fees received pursuant to paragraph (b) of subsection 2 of NRS 463.320 to other local governments thereafter reduces or discontinues that distribution, the amount that the county may receive from the supplemental city-county relief tax is reduced by an equal amount.''.

Amend sec. 14, page 14, line 9, by deleting "276,650" and inserting "506,650".

Amend sec. 14, page 14, by inserting between lines 15 and 16: "Fire districts organized pursuant to chapter 473 of NRS in the following counties:

Carson City	$71,104
Clark (Mt. Charleston)	74,286
Douglas	115,261
Washoe	462,935".

Amend sec. 14, page 14, by deleting lines 19 and 20 and inserting: "1, 1983, are paid. For the fiscal year beginning on July 1, 1983, the amount for Douglas County is $276,650. For the fiscal year".

Amend sec. 14, page 14, by inserting after line 26:

"3. The following amounts of maximum allowable combined revenue are established for the following unincorporated towns which did not receive revenue from taxes ad valorem, unless for debt service, for the fiscal year ending June 30, 1981:

Amargosa (Nye County)	$42,000
Laughlin (Clark County)	17,344
Tonopah (Nye County)	32,000".

Amend the bill as a whole by deleting section 15, renumbering section 16 as section 20 and adding new sections, designated sections 17 through 19, following section 14, to read as follows:

"Sec. 17. In establishing rates of taxation for collection during the fiscal year 1983-84 the provisions of section 10 of Senate Bill No. 27 of this session do not apply to a local government unless, within 20 days after the publication of the notice required by this section, a petition for their applicability is presented to the governing body signed by not fewer than 8 percent of the registered voters of the local government who together with any corporate petitioners own not less than 4 percent in assessed value of the taxable real property within the territory of that local government. For the purpose of this section, the number of registered voters must be determined as of January 1, 1983, and assessed values must be determined from the next preceding final assessment roll. An authorized corporate officer may sign such a petition whether or not he is a registered voter. Each local government shall, on or before June 7, 1983, publish in a newspaper of general circulation in its territory a notice which is at least one-quarter of a page in size, setting forth:

(a) The rate of property tax included in its final or default budget and the highest rate which would be allowed under section 10 of Senate Bill No. 27 of this session; and

(b) The right of the registered voters to limit the rate by petition pursuant to this subsection.

Sec. 18. Section 1 of chapter 192, Statutes of Nevada 1983, is hereby amended to read as follows:

Section 1. For the fiscal year 1983–1984 only:

1. Notwithstanding the provisions of NRS 354.596:

(a) The tentative budget of a local government need not be filed or

copies of it submitted until the date on which notice is given of the public hearing upon it.

(b) The public hearing must be held no earlier than May 20, 1983, and no later than June 3, 1983. Notice of the time and place of the hearing must be given at least 3 days before the hearing.

(c) The department of taxation may certify compliance or give notice of lack of compliance at any time before June 1, 1983, or 3 days after a copy of the tentative budget is submitted, whichever is later.

2. Notwithstanding the provisions of NRS 354.598, the last day for adopting the final budget of a local government and for transmitting a copy of it to the Nevada tax commission is June 3, 1983.

3. Notwithstanding the provisions of NRS 361.455:

(a) The Nevada tax commission shall meet on June [17,] *29,* 1983, to set the tax rates for local governments.

(b) If the combined tax rate together with any established state rate exceeds the limit imposed by NRS 361.453, the Nevada tax commission shall adjust the rates for the local governments, but shall not reduce the rate of the county school district for the support of the public schools.

(c) Any local government whose budget must be revised because of such an adjustment shall file a copy of its revised budget by July [15,] *27,* 1983.

4. Notwithstanding the provisions of NRS 361.465, the county auditor shall deliver the tax roll by July 15, 1983, unless the date is extended pursuant to subsection 7.

5. Notwithstanding the provisions of NRS 361.483, the full amount or first installment of taxes is due on the 3rd Monday of August, 1983.

6. If a petition is filed pursuant to section 17 of this act for the applicability of section 10 of Senate Bill No. 27 of this session and the governing body of the local government chooses to propose to its registered voters an additional levy ad valorem pursuant to NRS 354.5982:

(a) The special election must be held on July 12, 1983.

(b) Notice of the election must be published at least once on or before July 8, 1983, in a newspaper of general circulation in the territory of the local government.

(c) Registration for the election closes on the day when the governing body chooses to propose the levy.

7. If the additional levy is approved, the date for delivery of the tax roll is extended to July 22, 1983.

Sec. 19. The Nevada tax commission must certify for each budget approved that the maximum allowable revenue is not exceeded.''.

Amend sec. 16, page 14, line 31, by deleting ''13 and 15'' and inserting: ''13, 17, 18 and 19''.

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblymen Bergevin and Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 28.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 896.

Amend section 1, page 1, lines 2 and 3, by deleting: "personnel division an advisory" and inserting "department a".

Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:

"Sec. 2. This act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Banner moved that Senate Bill No. 350 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman Banner.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 350.

Bill read third time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 906.

Amend section 1, page 1, line 13, by deleting "*Any*" and inserting: "*Except as otherwise provided by an agreement between the employer and employee, any*".

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 78.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 78:

YEAS—42.

NAYS—None.

Assembly Bill No. 78 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 17, 91, 177, 71, 161, 207, 318, 340, 345, 383, 396, 407 and 413 be taken from their

positions on the General File and placed at the bottom of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 345.

Bill read third time.

Remarks by Assemblymen Getto, Stewart, Bilyeu, Thomas, May, Bergevin, Bourne and Nicholas.

Roll call on Assembly Bill No. 345:

YEAS—41.

NAYS—Stewart.

Assembly Bill No. 345 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 426.

Bill read third time.

Remarks by Assemblymen Berkley, Jeffrey, Dini, Bilyeu, Nicholas, Ham, Stewart, Schofield, Thomas, Kovacs, Sedway, Getto and Francis.

Roll call on Assembly Bill No. 426:

YEAS—29.

NAYS—Bergevin, Beyer, Bilyeu, Bogaert, Craddock, Dini, DuBois, Ham, Joerg, Kerns, Marvel, Nicholas, Thomas—13.

Assembly Bill No. 426 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 517.

Bill read third time.

Remarks by Assemblyman Bogaert.

Roll call on Assembly Bill No. 517:

YEAS—42.

NAYS—None.

Assembly Bill No. 517 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 549.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 549:

YEAS—42.

NAYS—None.

Assembly Bill No. 549 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 571.

Bill read third time.

Remarks by Assemblyman Thomas.
Roll call on Assembly Bill No. 571:
YEAS—40.
NAYS—Francis, Stewart—2.

Assembly Bill No. 571 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 575.
Bill read third time.
Remarks by Assemblyman Chaney.
Roll call on Assembly Bill No. 575:
YEAS—42.
NAYS—None.

Assembly Bill No. 575 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

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

Assembly in recess at 12:08 p.m.

ASSEMBLY IN SESSION

At 12:09 p.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 582.
Bill read third time.
Remarks by Assemblyman Humke.
Roll call on Assembly Bill No. 582:
YEAS—42.
NAYS—None.

Assembly Bill No. 582 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.
Bill ordered transmitted to the Senate.

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

Assembly in recess at 12:10 p.m.

ASSEMBLY IN SESSION

At 12:11 p.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 585.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Assembly Bill No. 585:

YEAS—41.
NAYS—Stone.

Assembly Bill No. 585 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 406.
Bill read third time.
Remarks by Assemblyman Schofield.
Roll call on Assembly Bill No. 406:

YEAS—42.
NAYS—None.

Assembly Bill No. 406 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 592.
Bill read third time.
Remarks by Assemblymen Thomas, Stewart, Redelsperger, Bourne, Dini, Swain and Nicholas.
Roll call on Assembly Bill No. 592:

YEAS—42.
NAYS—None.

Assembly Bill No. 592 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 595.
Bill read third time.
Remarks by Assemblymen Schofield, Nevin, Sader, and Jeffrey.
Roll call on Assembly Bill No. 595:

YEAS—40.
NAYS—Nevin, Stone—2.

Assembly Bill No. 595 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 598.
Bill read third time.
Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 598:

YEAS—42.

NAYS—None.

Assembly Bill No. 598 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 638.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 638:

YEAS—42.

NAYS—None.

Assembly Bill No. 638 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 643.

Bill read third time.

Remarks by Assemblymen Zimmer, Bergevin, Schofield and Getto.

Assemblyman Getto moved that Assembly Bill No. 643 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Getto and Jeffrey.

Assemblyman Getto withdrew his motion.

Remarks by Assemblymen Stone, Zimmer, Nevin, Price and Malone.

Roll call on Assembly Bill No. 643:

YEAS—24.

NAYS—Bergevin, Bilyeu, Bourne, Chaney, Collins, Craddock, Dini, DuBois, Fay, Jeffrey, Joerg, Kerns, Price, Redelsperger, Schofield, Stewart, Stone, Thompson—18.

Assembly Bill No. 643 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 151.

Bill read third time.

Remarks by Assemblymen Dini and Bourne.

Roll call on Assembly Bill No. 151:

YEAS—42.

NAYS—None.

Assembly Bill No. 151 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 548.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 548:

YEAS—40.

NAYS—Jeffrey, Price—2.

Assembly Bill No. 548 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 545.

Bill read third time.

Remarks by Assemblymen Francis, Stone, Chaney, Jeffrey, Sader, Banner and Thompson.

Assemblyman Thompson moved that Assembly Bill No. 545 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Thompson.

Assemblymen Brady, Francis and Zimmer requested a roll call on Assemblyman Thompson's motion.

Roll call on Assemblyman Thompson's motion:

YEAS—18.

NAYS—Banner, Bergevin, Berkley, Beyer, Bilyeu, Bourne, Brady, Bremner, Dini, DuBois, Fay, Francis, Ham, Humke, Joerg, Kerns, Kovacs, Malone, Marvel, Nicholas, Stone, Thomas, Zimmer, Mr. Speaker—24.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

Remarks by Assemblymen Price, Banner, Francis, Jeffrey, Fay, Bergevin and Collins.

Roll call on Assembly Bill No. 545:

YEAS—17.

NAYS—Berkley, Bilyeu, Bogaert, Chaney, Collins, Craddock, DuBois, Fay, Getto, Humke, Jeffrey, Joerg, Kerns, Kovacs, Malone, May, Price, Redelsperger, Sader, Schofield, Sedway, Stewart, Stone, Swain, Thompson—25.

Assembly Bill No. 545 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

Assembly Bill No. 634.

Bill read third time.

Remarks by Assemblymen Collins, Stone and Joerg.

Roll call on Assembly Bill No. 634:

YEAS—13.

NAYS—Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Dini, DuBois, Francis, Getto, Humke, Joerg, Kerns, Kovacs, Malone, Marvel, Nicholas, Perry, Redelsperger, Schofield, Sedway, Stewart, Stone, Thomas, Thompson, Zimmer—29.

Assembly Bill No. 634 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 557, 650, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which were referred Senate Joint Resolutions Nos. 21, 22, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDWARD J. KOVACS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 11, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 2, 5, 95, 175, 176, 197, 318, 399, 472, 542, 551, 564, 583.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 401, 408, 457 and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 403.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to concur in the Assembly amendment to Senate Bill No. 65.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 656—An Act relating to general improvement districts; modifying the requirements for their budgets and approval for increases in fees; exempting them from the fees charged by a county recorder; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Labor and Management:

Assembly Bill No. 657—An Act relating to industrial insurance; amending provisions concerning the rating of individual risks; and providing other matters properly relating thereto.

Assemblyman Thompson moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 658—An Act relating to the property tax; increasing penalties for late payment of larger amounts of taxes due on real property; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 659—An Act relating to taxation; imposing a tax on certain self-insured employers in lieu of the general premium tax; providing for its rate and collection; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Beyer (by request):

Assembly Bill No. 660—An Act relating to local boards of health; requiring that regulations be filed with the county or city clerk; and providing other matters properly relating thereto.

Assemblyman Beyer moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

By Assemblymen Vergiels and Bremner:

Assembly Bill No. 661—An Act directing certain counties to appropriate money for a program to provide transportation for the elderly in taxicabs; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 392.

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

Motion carried.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 3 p.m.

Assembly in recess at 1:10 p.m.

ASSEMBLY IN SESSION

At 3:07 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Government Affairs:

Assembly Concurrent Resolution No. 48—Directing the department of personnel to study the desirability of considering other factors in addition to the prevailing rate when determining salaries for the classified service.

Assemblyman Dini moved the adoption of the resolution.

Remarks by Assemblyman Dini.

Resolution adopted unanimously.

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 49—Directing the legislative commission to study the providers of health care and health and care facilities in this state.

Assemblyman Kovacs moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Joint Resolution No. 23.

Assemblyman Stewart moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 403.

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

Motion carried.

Senate Bill No. 437.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 544, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 557 and 650 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 411 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 457.

The following Senate amendment was read:

Amendment No. 798.

Amend sec. 2, page 2, lines 8 and 9, by deleting "vehicle [shall] *must*" and inserting: "[vehicle shall] *school bus must*".

Amend sec. 2, page 2, line 15, by deleting: "*number of hours of operation.*" and inserting "*15-hour period.*".

Amend sec. 3, page 2, by deleting line 31 and inserting:

"2. *Each driver of a school bus or a bus used to transport pupils for extracurricular activities must complete a training course approved by the state board*".

Amend sec. 3, page 2, line 34, by deleting "*(1)*" and inserting "*(a)*".

Amend sec. 3, page 2, line 35, by deleting "*(2)*" and inserting "*(b)*".

Amend sec. 3, page 2, line 36, by deleting "*(3)*" and inserting "*(c)*".

Amend sec. 3, page 2, line 38, by deleting "*(4)*" and inserting "*(d)*".

Amend sec. 3, page 2, line 39, by deleting "*(5)*" and inserting "*(e)*".

Amend sec. 3, page 2, line 40, by deleting "*(6)*" and inserting "*(f)*".

Amend sec. 3, page 2, by deleting lines 41 through 43 and inserting:

"*3. Each driver must pass a written test each year approved by the superintendent of public instruction and administered by the local school district.*".

Amend sec. 3, page 3, line 1, by deleting "2." and inserting "[2.] *4.*".

Amend sec. 3, page 3, line 10, by deleting "*3.*" and inserting "*5.*".

Assemblyman Coffin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 457.

Remarks by Assemblyman Coffin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 174.

The following Senate amendment was read:

Amendment No. 771.

Amend section 1, page 1, by deleting lines 3 through 6 and inserting: "*It is unlawful to disclose the questions contained in tests of general educational development and the approved answers used for grading the tests except:*

1. To the extent that disclosure is required in the department's administration of the tests.

2. That a disclosure may be made to a state officer who is a member of the executive or legislative branch to the extent that it is related to the performance of that officer's duties.".

Amend sec. 2, page 2, line 14, by deleting "*except to*" and inserting "*except:*

(a) To".

Amend sec. 2, page 2, by inserting between lines 15 and 16:

"*(b) That a disclosure may be made to a state officer who is a member of the executive or legislative branch to the extent that it is related to the performance of that officer's duties.*".

Amend sec. 3, page 2, line 18, by deleting "*A person's*" and inserting "*An*".

Assemblyman Craddock moved that the Assembly concur in the Senate amendment to Assembly Bill No. 174.

Remarks by Assemblyman Craddock.

Motion carried.
Bill ordered enrolled.

Assembly Bill No. 305.
The following Senate amendment was read:
Amendment No. 761.
Amend sec. 11, pages 4 and 5, by deleting line 42 on page 4 and lines 1 through 12 on page 5 and inserting:
"Sec. 11. (Deleted by amendment.)".
Amend sec. 15, page 6, by deleting line 1 and inserting: "unprotected animals *by trapping* or sells raw furs".
Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 305.
Remarks by Assemblyman Thompson.
Motion carried.
Bill ordered enrolled.

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

Assembly in recess at 3:15 p.m.

ASSEMBLY IN SESSION

At 3:21 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 304, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 97, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Assembly Bill No. 304 be considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.
Motion carried unanimously.

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered second reading, rules further suspended, Senate Bill No. 97 declared an emergency measure under the Constitution and placed on third reading and final passage.
Motion carried unanimously.

Assemblyman Jeffrey moved that Senate Bill No. 97 and Assembly Bill No. 304 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

Assemblyman Stone moved that Assembly Bill No. 411 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 544.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 905.

Amend the bill as a whole by deleting sections 1 through 5 and inserting:

"Section 1. NRS 444.510 is hereby amended to read as follows:

444.510 1. The governing body of every municipality or district board of health created pursuant to NRS 439.370 shall develop a plan to provide for a solid waste management system which [shall] adequately [provide] *provides* for the disposal of solid waste [generated] within the boundaries of the municipality or within the area to be served by the system [.] *, whether generated within or outside of the boundaries of the area.*

2. *The plan may include ordinances adopted pursuant to NRS 444.520 and 444.530.*

3. Such *a* governing body may enter into agreements with governing bodies of other municipalities, or with any person, or with a combination thereof, to effectuate the plan provided for in subsection 1 and to provide a solid waste management system, or any part thereof.

[3.] *4.* Any plan developed by the governing body of a municipality or district board of health created pursuant to NRS 439.370 [shall] *must* be submitted to the state department of conservation and natural resources for approval. No action may be taken by any such governing body or district board of health until [such] *the* plan has been approved.

[4.] *5.* Any regulation or plan adopted by the state board of health [prior to] *before* July 1, 1975, for solid waste management systems [shall remain] *remains* in effect until the regulation or plan is revised by the state environmental commission.

Sec. 2. NRS 444.560 is hereby amended to read as follows:

444.560 1. The state environmental commission shall adopt regulations concerning solid waste management systems, or any part thereof.

2. *The state environmental commission may establish a schedule of fees for the importation of solid waste into the state. The department may use the money collected under the schedule to defray the cost of managing and regulating the disposal in this state of solid waste which is generated outside of the state.*

3. Notice of the intention to adopt and the adoption of any regulation [shall] *or schedule of fees must* be given to the clerk of the governing board of all municipalities in this state.

[3.] *4.* Within a reasonable time, as fixed by the state environmental commission, after the adoption of any regulation, no governing board of a municipality or person [shall] *may* operate or permit an operation in violation of [such] *the* regulation.

Sec. 3. This act shall become effective upon passage and approval.''.

Amend the title of the bill to read:

''An Act relating to garbage; authorizing the regulation of the disposal of garbage generated outside the area of disposal; authorizing the state environmental commission to establish fees for importing garbage into the state; and providing other matters properly relating thereto.''.

Amend the summary of the bill to read: ''Authorizes regulation of importation of garbage.''.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 411.

Bill read third time.

The following amendment was proposed by Assemblyman Stone:

Amendment No. 914.

Amend section 1, page 1, line 13, by deleting ''*full-time*''.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 408.

The following Senate amendment was read:

Amendment No. 829.

Amend section 1, page 1, by deleting lines 7 and 8 and inserting:

''*(c) Services;*

(d) The use of property; or

(e) Credit extended by any licensed gaming establishment,''.

Amend the title of the bill by deleting the second line and inserting: ''draft to obtain services, the use of property or credit from a gaming establishment if the drawer has insufficient''.

Amend the summary of the bill, first line, by deleting: ''services or use of property'' and inserting: ''services, use of property or credit from gaming establishment''.

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 408.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 424.

The following Senate amendment was read:

Amendment No. 800.

Amend sec. 8, page 4, line 37, by deleting "$15,000." and inserting "[$15,000.] *$35,000.*".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 424.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker announced that Assemblymen Bremner and Marvel are excused for the afternoon session for the purpose of attending a subcommittee meeting.

GENERAL FILE AND THIRD READING

Senate Bill No. 97.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 916.

Amend sec. 21, page 8, by deleting lines 22 through 31 and inserting:

"Sec. 21. *1. Except as provided in section 22 of this act, for the privilege of transacting business in this state, each insurer shall pay to the commissioner a tax upon his net premiums and net considerations at the rate of:*

(a) Three percent on amounts received during the fiscal years beginning on July 1, 1983, and July 1, 1984, respectively.

(b) Two and one-half percent on amounts received on or after July 1, 1985.

2. The tax must be paid at the same time the report required by NRS 680B.030 is filed.

3. The commissioner may require at any time verified supplemental statements with reference to any matter pertinent to the proper assessment of the tax.".

Amend the title of the bill, fourth line, after "circumstances;" by inserting: "increasing the rate of tax on those premiums and considerations;".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 304.

Bill read third time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 902.

Amend section 1, page 1, line 4, by deleting "renewal *of* registrations," and inserting: "[renewal registrations,] *renewals of registration,*".

Amend the bill as a whole by deleting sections 2 through 4 and inserting:

"Sec. 2. NRS 482.480 is hereby amended to read as follows:

482.480 There must be paid to the department for the registration , [or] transfer *or reinstatement* of registration of motor vehicles, trailers and semitrailers, fees according to the following schedule:

1. For each stock passenger car and each reconstructed or specially constructed passenger car, regardless of weight or number of passenger capacity, a registration fee of $12.

2. For every motorcycle, a registration fee of $12.

3. For every bus or motortruck having an unladened weight of 3,500 pounds or less, as shown by a public weighmaster's certificate, a registration fee of $12.

4. For every trailer or semitrailer having an unladened weight of 1,000 pounds or less, a flat registration fee of $6. For every trailer having an unladened weight of more than 1,000 pounds, but not more than 3,500 pounds, a flat registration fee of $9. For every trailer or semitrailer having an unladened weight of more than 3,500 pounds and less than 4,000 pounds, fees according to the following schedule:

3,501 to and including 3,549 pounds	$12
3,550 to and including 3,649 pounds	14
3,650 to and including 3,749 pounds	16
3,750 to and including 3,849 pounds	18
3,850 to and including 3,949 pounds	20
3,950 to and including 3,999 pounds	22

5. For every bus or motortruck having an unladened weight of more than 3,500 pounds and less than 5,000 pounds, fees according to the following schedule:

3,501 to and including 3,549 pounds	$14
3,550 to and including 3,649 pounds	16
3,650 to and including 3,749 pounds	18
3,750 to and including 3,849 pounds	20
3,850 to and including 3,949 pounds	22
3,950 to and including 3,999 pounds	24
4,000 to and including 4,999 pounds	27

6. For every trailer or semitrailer having an unladened weight of 4,000 pounds or more, except mobile homes, and for every bus or motortruck having an unladened weight of 5,000 pounds or more, 60 cents per 100 pounds, or major fraction thereof, of unladened weight

as shown by a public weighmaster's certificate. At the time of weighing, each vehicle must have in place each accessory and appliance belonging to and used on the vehicle in the transportation of property. Whenever a camper is attached to a motortruck, the camper shall be considered as a load and the fees imposed by this section upon the motortruck must be based on the unladened weight of the motortruck, exclusive of the camper.

7. Except as provided in subsection 8, for each transfer of registration the fee is $5.

8. The fee for transfer of a registration to any motor vehicle enumerated in subsection 6 is $5 plus the excess, if any, of the fee which would have been payable for an original registration of the vehicle over the fee paid for registration of the vehicle from which the registration is transferred.

9. For every motor vehicle there is an additional fee of $4 for each registration, which must be accounted for in the highway patrol special fund which is hereby created as a special revenue fund and must be used only for the purposes specified in NRS 481.145.

10. *To reinstate the registration of a motor vehicle suspended pursuant to NRS 485.383 the fee is $50, which must be accounted for in the fund for verification of insurance which is hereby created as a special revenue fund and must be used only for the purposes specified in NRS 485.383.*

11. For every travel trailer, the registration fee is $12.

[11.]

A vehicle which is properly registered under this section is exempt from the provisions of NRS 706.506, 706.516, 706.521 and 706.526.

Sec. 3. NRS 485.383 is hereby amended to read as follows:

485.383 1. The department shall annually select, on a random sample basis, not [more] *less* than 10 percent of the motor vehicles registered in this state on which the security is a contract of insurance for a verification of motor vehicle insurance.

2. The department shall send a verification form to the owner of each vehicle selected for an insurance verification. The owner shall complete the form with all the information which is requested by the department [, including the name of the insurer and the policy number for the vehicle,] and return the form *and evidence of the insurance* within 15 days.

3. When the department receives a completed verification form it shall send the form to the named insurer.

4. Upon receipt of an insurance verification form from the department, the insurer shall verify the information on the form and return it to the department only if the insurer does not have a current contract of insurance covering the vehicle.

5. The department shall suspend the vehicle registration and require the return to the department of the license plates of any vehicle for which a verification form is not returned to the department by the owner within 15 days or for which the verification form is returned by the insurer with a denial of coverage.

6. [The] *Except as provided in subsection 10, the* department shall

reinstate the registration of a vehicle and reissue the license plates only upon filing by the owner of proof of financial responsibility for a period of 3 years.

7. A denial of coverage, signed by an officer or agent of an insurer, is prima facie evidence of a false certification.

8. If the department believes a person has violated the provisions of NRS 485.185, it shall notify the district attorney of the county in which the person resides.

9. An insurer, its agents, the department and its employees who act pursuant to this section in good faith and without gross negligence are immune from civil liability for those acts.

10. If an owner proves to the satisfaction of the department that his vehicle was not used in this state for a 30-day period, including the date on which the sample was taken, the department shall not require him to file proof of financial responsibility as a prerequisite to reinstating his registration and reissuing his license plates.

Sec. 4. Section 7 of chapter 697, Statutes of Nevada 1981, at page 1696, is hereby amended to read as follows:

Sec. 7. 1. [This act] *All sections of this act except section 3* shall become effective on January 1, 1982.

2. [Sections 1 and 6 of this act expire by limitation on June 30, 1983.

3. Sections 3 and 5] *Section 3* of this act shall become effective on July 1, 1983.

Sec. 5. Section 5 of chapter 697, Statutes of Nevada 1981, at page 1695, is hereby repealed.

Sec. 6. Section 1 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Amend the title of the bill to read:

''An Act relating to motor vehicle insurance; requiring an applicant for original registration to furnish proof of having the required insurance or other security; providing a fee for the reinstatement of certain registrations and providing specifically for its use; continuing the procedure for verification of certain insurance by sampling a percentage of owners of registered vehicles and continuing the requirement that insurers provide evidence of insurance to their insureds; providing an exception to the procedure for reinstatement of registration; and providing other matters properly relating thereto.''.

Amend the summary of the bill to read: ''Continues verification of insurance on registered motor vehicles by sampling owners.''.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 557.

Bill read third time.

Remarks by Assemblyman Coffin.

Roll call on Assembly Bill No. 557:

YEAS—40.
NAYS—None.
Excused—Bremner, Marvel—2.

Assembly Bill No. 557 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 650.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 650:

YEAS—39.
NAYS—None.
Excused—Bremner, Marvel—2.
Not voting—Nicholas.

Assembly Bill No. 650 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 17.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 17:

YEAS—40.
NAYS—None.
Excused—Bremner, Marvel—2.

Senate Bill No. 17 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 91.

Bill read third time.

Remarks by Assemblyman Beyer.

Roll call on Senate Bill No. 91:

YEAS—36.
NAYS—Ham, Stewart, Stone, Thomas—4.
Excused—Bremner, Marvel—2.

Senate Bill No. 91 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 177.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 177:

YEAS—40.

NAYS—None.

Excused—Bremner, Marvel—2.

Senate Bill No. 177 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 71.

Bill read third time.

Remarks by Assemblyman Coffin.

Roll call on Senate Bill No. 71:

YEAS—40.

NAYS—None.

Excused—Bremner, Marvel—2.

Senate Bill No. 71 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended, Assembly Bills Nos. 188, 559 and Senate Bill No. 303 declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that Assembly Bills Nos. 28, 188 and 559 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

Assemblyman Dini moved that Senate Bill No. 161 be taken from its position on the General File and placed at the top of the General File.

Remarks by Assemblyman Dini.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 161.

Bill read third time.

Remarks by Assemblymen Dini, Sedway, Bergevin and Bourne.

Roll call on Senate Bill No. 161:

YEAS—35.

NAYS—Bergevin, DuBois, Getto, Ham, Nicholas—5.

Excused—Bremner, Marvel—2.

Senate Bill No. 161 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 28.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 28:

YEAS—40.
NAYS—None.
Excused—Bremner, Marvel—2.

Assembly Bill No. 28 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 188.
Bill read third time.
Remarks by Assemblymen Chaney and Stone.
Assemblyman Chaney moved that Assembly Bill No. 188 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Chaney moved that Assembly Bill No. 559 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 207.
Bill read third time.
Remarks by Assemblyman Joerg.
Roll call on Senate Bill No. 207:

YEAS—40.
NAYS—None.
Excused—Bremner, Marvel—2.

Senate Bill No. 207 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that for the balance of the session all rules be suspended and all Senate bills and Senate resolutions passed or adopted by the Assembly be immediately transmitted to the Senate.
Motion carried unanimously.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 7 p.m.

Assembly in recess at 4:01 p.m.

ASSEMBLY IN SESSION

At 7:10 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 447, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and re-refer to the Committee on Ways and Means.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 201, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 298, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bill No. 577; Senate Bills Nos. 259, 387, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 610, 612, 613, 616, 625, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 545 was this day refused passage.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 11, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 110, 117, 145, 163, 240, 295.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Senate Bill No. 118.

MAE LOFTHOUSE
Assistant Secretary of the Senate

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which were referred Assembly Bills No. 438, 597, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 636, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 615, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Senate Bill No. 97 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

Assemblyman Chaney moved that Assembly Bill No. 447 be re-referred to the Committee on Ways and Means.

Motion carried.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stewart moved that the Assembly do not recede from its action on Senate Bill No. 65, that a conference be requested, and that Mr. Speaker appoint a first Committee on Conference consisting of three members to meet with a like committee of the Senate.

Remarks by Assemblyman Stewart.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Bilyeu, Humke and Swain as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 65.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 401.

The following Senate amendment was read:

Amendment No. 838.

Amend sec. 2, page 1, line 11, by deleting "*recognized*" and inserting "*chartered*".

Assemblyman Dini moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 401.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered transmitted to the Senate.

GENERAL FILE AND THIRD READING

Senate Bill No. 97.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Senate Bill No. 97:

YEAS—39.

NAYS—Stone, Thomas, Zimmer—3.

Senate Bill No. 97 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 318.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Senate Bill No. 318:
YEAS—42.
NAYS—None.

Senate Bill No. 318 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended, Assembly Bill No. 382 and Senate Bill No. 220 declared emergency measures under the Constitution and placed on third reading and final passage.
Motion carried unanimously.

Assemblyman Jeffrey moved that Assembly Bills Nos. 382, 610, 612, 613, 616, 625 and 636 be taken from their positions on the General File and placed at the top of the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 382.
Bill read third time.
Remarks by Assemblymen Coffin, Bogaert, Joerg, Bilyeu, Bremner, Zimmer and Sader.
Roll call on Assembly Bill No. 382:
YEAS—34.
NAYS—Berkley, Bilyeu, Brady, Bremner, Humke, Marvel, Stone—7.
Absent—Craddock.

Assembly Bill No. 382 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 610.
Bill read third time.
Remarks by Assemblymen Schofield, Bremner and Dini.
Roll call on Assembly Bill No. 610:
YEAS—40.
NAYS—Marvel.
Absent—Craddock.

Assembly Bill No. 610 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 612.
Bill read third time.
Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 612:

YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 612 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 613.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 613:

YEAS—41.
NAYS—None.
Absent—Craddock.

Assembly Bill No. 613 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 616.
Bill read third time.
Remarks by Assemblyman Beyer.
Roll call on Assembly Bill No. 616:

YEAS—42.
NAYS—None.

Assembly Bill No. 616 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 625.
Bill read third time.
Remarks by Assemblyman Schofield.
Roll call on Assembly Bill No. 625:

YEAS—42.
NAYS—None.

Assembly Bill No. 625 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 636.
Bill read third time.
Remarks by Assemblymen Stone and Dini.
Roll call on Assembly Bill No. 636:

YEAS—36.
NAYS—Bogaert, Collins, Kovacs, May—4.
Not voting—Dini, Redelsperger—2.

Assembly Bill No. 636 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 352, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Judiciary.

JANSON F. STEWART, *Chairman*

SECOND READING AND AMENDMENT

Assembly Bill No. 438.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 672.

Amend section 1, page 1, by deleting lines 3 through 6 and inserting:

"*1. The board of operators of treatment works is hereby created. The board consists of five members appointed by the governor, including at least:*

(a) Two members who have at least 3 years of experience as operators of treatment works;

(b) One member who represents the division; and

(c) One member who represents a municipality which employs such an operator.

2. Except as otherwise provided in this subsection, a person shall not act as the operator of a treatment works until he is certified by the board. An engineer who assisted in the design or construction of the treatment works may operate it without certification by the board.

3. The board shall, by regulations which are not inconsistent with this chapter, establish:".

Amend section 1, page 1, by deleting lines 12 and 13 and inserting:

"*4. The board shall establish and administer examinations to determine the eligibility of persons who apply for certification by the board. An applicant is entitled to such certification upon satisfaction of the requirements of the board and payment of the applicable fees.*".

Amend the title of the bill, second line, by deleting "publicly owned".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 577.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 915.

Amend section 1, page 1, line 5, after "*wage*" by inserting: "*of not more than $50 as*".

Amend the bill as a whole by renumbering sections 2 and 3 as sections 3 and 4 and adding a new section, designated as section 2, following section 1, to read as follows:

"Sec. 2. NRS 217.200 is hereby amended to read as follows:

217.200 1. The hearing officer may order the payment of compensation and the award of a governor's certificate for meritorious citizen's service to a victim as defined in NRS 217.070 for:

(a) Medical expenses, *expenses for psychological counseling* and nonmedical remedial care and treatment rendered in accordance with a religious method of healing, actually and reasonably incurred as a result of the personal injury or death of the victim;

(b) Loss of earnings or support not to exceed [$150] *$200* per week and reasonably incurred as a result of the total or partial incapacity of the victim;

(c) Pecuniary loss to the dependents of a deceased victim;

(d) Funeral expenses, not in excess of $1,000, which are actually and reasonably incurred as a result of the death of the victim; and

(e) Any other loss which results from the personal injury or death of the victim and which the hearing officer determines to be reasonable.

2. *The hearing officer may order that an emergency award be made to the victim to avoid financial hardship. The hearing officer may order that the amount of the emergency award be deducted from the final award, or if the emergency award exceeds the amount finally awarded to the victim, that the victim repay the difference between the two awards.* An award of compensation *including any emergency award ordered to be paid in advance to assist the victim,* may be made subject to such terms and conditions as the hearing officer considers necessary or advisable with respect to payment, disposition, allotment or apportionment of the award.

3. No award may be made for less than $100 or for more than [$5,000.] *$15,000.*".

Amend sec. 3, page 2, by deleting line 32 and inserting:

"2. Money deposited in the fund which is recovered from a forfeiture of assets pursuant to section 7 of [this act] *Assembly Bill No. 189 of the 62nd session of the Nevada legislature,* must be used for the counseling and medical treatment of minors who are involved in the production of pornography in violation of NRS 200.509 or section 3 or 4 of [this act.] *Assembly Bill No. 189 of this session of the legislature.*

3. If on June 30 of any year the fund contains more than [$250,000,] *$500,000,* excluding any money deposited which is recovered from a forfeiture of assets pursuant to section 7 of [this act,] *Assembly Bill No. 189 of the 62nd session of the Nevada legislature,*".

Amend the title of the bill, second line, after "officer;" by inserting: "increasing the compensation awarded to those victims;".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 188 and 559 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

Assemblyman Jeffrey moved that all rules be suspended, Assembly Bill No. 544 declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that Assembly Bills Nos. 411 and 544 be taken from their positions on the General File and placed on the General File immediately following Assembly Bill No. 559.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 597.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 904.

Amend section 1, page 2, line 17, by deleting "*person*" and inserting "*owner*".

Amend section 1, page 2, by deleting lines 22 through 24.

Amend section 1, page 2, line 25, by deleting "*5.*" and inserting "*4.*".

Amend the title of the bill second line, by deleting: "declaring such irrigation to".

Amend the title of the bill by deleting the third line and inserting "and".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 615.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 903.

Amend sec. 3, page 2, line 41, after "*provide*" by deleting the comma.

Amend sec. 3, page 2, by deleting line 42 and inserting: "*coverage for such services when rendered by a*".

Amend sec. 4, page 3, line 32, by deleting "*provide, at*" and inserting "*provide*".

Amend sec. 4, page 3, by deleting line 33 and inserting: "*coverage for such services when rendered by a*".

Amend sec. 5, page 4, by deleting lines 31 and 32 and inserting:

"*contract provides coverage for such services when rendered by a hospice.*".

Amend sec. 6, page 5, by deleting line 5 and inserting: "*also provide coverage for such services when*".

Amend the title of the bill, first line, by deleting "optional".

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblyman Bourne.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 201.

Bill read second time.

Assemblyman Coffin moved that Senate Bill No. 201 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Coffin.

Motion carried.

Senate Bill No. 259.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 910.

Amend the bill as a whole by deleting section 1 and renumbering section 2 as section 1.

Amend the title of the bill to read:

"An Act relating to concealed weapons; removing the prohibition against aliens possessing concealable firearms; and providing oher matters properly relating thereto.".

Amend the summary of the bill to read: "Removes prohibition against aliens possessing concealable firearms.".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 298.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 913.

Amend sec. 2, page 2, line 6, after "buildings," by inserting "*manufactured homes,*".

Amend sec. 3, page 2, line 18, by deleting "priority" and inserting "equal consideration".

Amend sec. 3, page 2, line 22, by deleting "priority" and inserting "equal consideration".

Amend the title of the bill, first line, by deleting "mobile home parks;" and inserting "housing;".

Amend the title of the bill, third line, by deleting "parks;" and inserting: "parks and manufactured homes;".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 387.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 908.

Amend sec. 2, page 1, line 12, by deleting "*Each*" and inserting:

"*1. Except as provided in subsection 2, each*".

Amend sec. 2, page 1, between lines 18 and 19 by inserting:

"*2. The governing body of a city, with the consent of the board of county commissioners and the justice of the peace, may provide that a justice of the peace of the township in which the city is located is ex officio the municipal judge of the city.*".

Amend the bill as a whole by adding a new section designated section 13.5, preceding section 14, to read as follows:

"Sec. 13.5. NRS 266.405 is hereby amended to read as follows:

266.405 1. In addition to the mayor and city council, there may be elected in each city of the first or second class a city clerk, a city treasurer, a *municipal* judge [of the municipal court] and a city attorney. All elective officers shall hold their respective offices for 4 years and until their successors are elected and qualified; but cities of the third class may by ordinance regularly adopted provide that the mayor and city councilmen [shall] *must* be elected and shall hold office for a period of 2 years.

2. In cities of the third class, the mayor, by and with the advice and consent of the city council, may appoint any or all such officers as may be deemed expedient, and such appointive officers shall hold their respective offices during the pleasure of the mayor and city council.

3. The governing body of a city, with the consent of the board of county commissioners and the justice of the peace, may provide that a justice of the peace of the township in which the city is located is ex officio the municipal judge of the city.".

Amend sec. 16, page 5, line 39, by deleting "The [police]" and inserting: "[The police] *Except as provided in subsection 2, the*".

Amend sec. 16, page 5, by deleting line 44 and inserting:

"[2. The police judge shall be]

(d) Be elected at the".

Amend sec. 16, page 5, after line 45 by inserting:

"*2. The governing body of a city, with the consent of the board of county commissioners and the justice of the peace, may provide that a justice of the peace of the township is ex officio the municipal judge of the city.*".

Amend the title of the bill first line, after "municipal judges;" by inserting: "allowing cities to provide that a justice of the peace is ex officio the municipal judge of the city;".

Amend the summary of the bill by deleting "judges." and inserting: "judges and authorizes appointment of justice of the peace as ex officio municipal judge.".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 352.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 909.

Amend sec. 3, page 1, lines 9 and 10, by deleting: "*the board of governors of the State Bar of Nevada,*".

Amend sec. 6, page 2, lines 4 and 5, by deleting: "*good standing in the community in which he practices.*" and inserting: "*the performance of their duties in accordance with the standards of their profession.*".

Amend sec. 7, page 2, lines 6 and 7, by deleting: "*composed of attorneys and, as the case may be,*" and inserting: "*of five members composed of*".

Amend sec. 8, page 2, by deleting lines 11 through 13 and inserting: "*proposed for service on panels for conciliation.*".

Amend sec. 11, page 2, by deleting lines 25 through 32.

Amend sec. 11, page 2, line 33, by deleting "2." and inserting: "Sec. 11. *1.*".

Amend sec. 11, page 2, line 34, by deleting "*of its members*" and inserting "*architects*".

Amend sec. 11, page 2, line 40, by deleting "*3.*" and inserting "*2.*".

Amend sec. 11, page 2, line 41, by deleting "*of its members*" and inserting "*professional engineers*".

Amend sec. 11, page 3, line 5, by deleting "*4.*" and inserting "*3.*".

Amend sec. 11, page 3, line 6, by deleting "of its members" and inserting "*land surveyors*".

Amend sec. 11, page 3, line 13, by deleting "*5.*" and inserting "*4.*".

Amend sec. 11, page 3, line 14, by deleting: "*the attorneys' administrator and, respectively,*".

Amend sec. 11, page 3, line 19, by deleting: "*attorneys and, as the case may be,*".

Amend sec. 11, page 3, by deleting lines 25 through 29 and inserting:

"*5. The administrator shall select five persons from the list of those not challenged. The persons so selected con-*".

Amend sec. 11, page 3, line 31, by deleting "*administrators*" and inserting "*administrator*".

Amend sec. 11, page 3, between lines 32 and 33 by inserting:

"*6. If a malpractice claim is brought against a professional engineer, the persons selected for the panel for conciliation must be registered in the same branch of engineering as the person against whom the claim is brought. If there are not enough persons so registered, the persons selected must be registered in a closely allied branch.*".

Amend sec. 11, page 3, between lines 34 and 35 by inserting:

"*8. A person must not be designated to serve on a panel of proposed conciliators unless he has been a resident of Nevada for the 5 years immediately preceding his designation.*".

Amend the bill as a whole by deleting section 12 and inserting:

"Sec. 12. *1. All expenses incurred in conciliating a dispute must be paid by the Nevada Society of Architects, the Nevada Society of Professional Engineers or the Nevada Association of Land Surveyors, depending upon whether the person against whom the claim is brought is an architect, professional engineer or land surveyor, respectively.*

2. Persons who serve on panels for conciliation must not be paid a salary and may only be paid for the expenses of traveling, subsistence and lodging while on the business of the panel. Any such payment must be made as provided in subsection 1.".

Amend sec. 13, page 4, between lines 9 and 10 by inserting:

"*3. If a panel determines it to be necessary, the panel may employ attorneys, investigators and other consultants and clerical personnel to assist the panel in the discharge of its duties.*".

Amend sec. 16, page 5, line 16, by deleting "*administrators*" and inserting "*administrator*".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Assemblyman Bilyeu moved that Assembly Bill No. 352 be re-referred to the Committee on Judiciary.

Motion carried.

Bill ordered reprinted and engrossed.

GENERAL FILE AND THIRD READING

Assembly Bill No. 188.

Bill read third time.

Remarks by Assemblyman Chaney.

Roll call on Assembly Bill No. 188:

YEAS—42.

NAYS—None.

Assembly Bill No. 188 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 559.

Bill read third time.

Remarks by Assemblyman Chaney.

Roll call on Assembly Bill No. 559:

YEAS—41.

NAYS—Stewart.

Assembly Bill No. 559 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 411.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 411:

YEAS—41.

NAYS—Beyer.

Assembly Bill No. 411 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 544.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 544:

YEAS—42.

NAYS—None.

Assembly Bill No. 544 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 340.

Bill read third time.

Remarks by Assemblyman Zimmer.

Roll call on Senate Bill No. 340:

YEAS—42.

NAYS—None.

Senate Bill No. 340 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 345.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 345:

YEAS—42.

NAYS—None.

Senate Bill No. 345 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 220, 303, 350, 383, 396, 407, 413; Senate Joint Resolutions Nos. 21 and 22 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 46, 94, 189, 192, 258, 265, 277, 288, 339, 362, 403, 451, 493, 512, 514, 515, 552; Assembly Joint Resolution No. 25.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Maureen Allen, Peggy Massaro, Susan Kelley, Susan Johnson, Barbara Miller and seventh grade students from Our Lady of the Snows School, Reno, Nevada: Shawna Golder, Matthew Allen, Christina Barnet, Greg Batcheider, Marnie Bersi, Tiffany Birch, Brooke Bodensteiner, Bonnie Bourns, Deborah Burnite, James Collins, Daniel Columbo, Shannon Coppa, Andrew Corradetti, Michelle Dolby, Sarah Ferroni, Monica Frey, Peggy Glenn, Todd Herman, Laura Johnson, Lora Johnson, Christy Kelly, Corinne Kwapil, Joelle Lomboley, Dean Mansfield, Scott Martin, Tammy Massaro, Paul Nolan, Jeni O'Gorman, Jim Page, Jesse Peterson, Kim Riley, Kim Robaras, Christine Sapeta and Melissa Thorpe.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Lt. Dale Davis, Messrs. Pizygucki, Simms, Mesdames Sink and Townsend.

On request of Assemblyman Zimmer, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Tracy Zimmer.

Assemblyman Brady moved that the Assembly adjourn until Thursday, May 12, 1983, at 10:45 a.m.

Motion carried.

Assembly adjourned at 8:07 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND SIXTEENTH DAY

CARSON CITY (Thursday), May 12, 1983

Assembly called to order at 10:55 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Terry W. Arnold.

Father, thank you for this day. Thank you for the sunshine and the promise of spring. Thank you for the opportunities and possibilities that you have given us this day. I pray that you would guide each of these men and women that we have entrusted to enact our laws. That you give them wisdom, that you would give them decisiveness and, Father, that this would be a good day in the assembly. We pray these things in the name of our Saviour and Lord, Jesus Christ.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, to which was referred Senate Bill No. 354, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 176, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 553, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 385, 403, 437; Senate Joint Resolution No. 23, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 567, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 556, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 558, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

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

Assembly in recess at 10:59 a.m.

ASSEMBLY IN SESSION

At 11:15 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 11, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 134.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 307, 503, 550, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 138 and requests a conference, and appointed Senators Robinson, Townsend and Faiss as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Joint Resolution No. 11 and requests a conference, and appointed Senators Foley, Horn and Ryan as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 124.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 97, 261.

MAE LOFTHOUSE
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 12, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 427, 428, 433, 435, 465.

MAE LOFTHOUSE
Assistant Secretary of the Senate

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:17 a.m.

ASSEMBLY IN SESSION

At 11:54 a.m.
Mr. Speaker presiding.
Quorum present.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Sedway, Bourne and Stone as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 138.

Mr. Speaker appointed Assemblymen Schofield, Bilyeu and Thompson as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Joint Resolution No. 11.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 164, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendments of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 4 C, which is attached to and hereby made a part of this report.

WILLIAM H. HERNSTADT	CHARLES G. BOURNE
HELEN A. FOLEY	JAMES A. STONE
BOB RYAN	LONIE CHANEY
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 4 C.

Amend sec. 5, page 2, by deleting lines 34 through 36 and inserting:

"Sec. 5. The provisions of sections 1 to 3, inclusive, of this act apply to".

Amend sec. 6, page 2, by deleting lines 39 through 42 and inserting:

"Sec. 6. 1. This section and section 4 of this act shall become effective on July 1, 1983.

2. Sections 1 to 3, inclusive, and section 5 of this act shall become effective on July 1, 1984.".

Assemblyman Bourne moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 164.

Remarks by Assemblyman Bourne.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 155, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Concurrent Resolution No. 37, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 535, 536, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Taxation:

Assembly Bill No. 662—An Act relating to the motor vehicle fuel tax; allowing a county and the incorporated cities in it to increase that tax up to 2 cents per gallon; basing the rate of that tax on the proportion of the population of the governmental entities in a county which are participating in the tax; apportioning the receipts of that tax according to the lane-miles of paved streets in participating entities; requiring the receipts of the tax to be expended on the repair or restoration by independent contractors of existing paved streets; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 124.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 427.

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

Motion carried.

Senate Bill No. 428.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 433.

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

Motion carried.

Senate Bill No. 435.

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

Motion carried.

Senate Bill No. 465.

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

Motion carried.

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

Assembly in recess at 11:59 a.m.

ASSEMBLY IN SESSION

At 12:03 p.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Assembly Bill No. 155 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 553.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 921.

Amend the bill as a whole by renumbering section 1 as section 2 and adding a new section, designated section 1, preceding section 1, to read as follows:

"Section 1. Chapter 638 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. The director of the division of animal industry of the state department of agriculture may certify a person who shows sufficient knowledge and experience as a lay teacher of practical veterinary skills.

2. A certified lay teacher may teach stockmen such skills as practical diagnosis and treatment, life saving techniques, and use of medications and supplies.

3. A person who is denied certification may appeal the director's decision to the state board of agriculture.".

Amend section 1, page 2, by deleting lines 5 through 8 and inserting:

"*6. Applies to the use or employment of a person certified by the director of the division of animal industry of the state department of agriculture as a lay teacher of practical veterinary skills.*".

Amend the title of the bill, first line, by deleting "allowing" and inserting: "authorizes the director of the division of animal industry of the state department of agriculture to certify persons as lay teachers; allowing certified".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 556.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 923.

Amend section 1, page 1, by deleting line 2 and inserting:

"602.010 *1.* Every *natural* person, corporation [, firm] and general partnership".

Amend section 1, page 1, line 3, by deleting "] *conducting*".

Amend section 1, page 1, line 7, by deleting "*biennially*" and inserting "*annually*".

Amend section 1, page 1, between lines 9 and 10 by inserting:

"*2. The county clerk of each county shall provide a notice of the expiration date of the certificate 45 days before the last day for filing the annual certificate required in subsection 1.*

3. The county clerk may provide the notice required in subsection 2 by:

(a) Sending by first class mail to each natural person, corporation and general partnership that filed a certificate with the clerk and which has not become delinquent, the blank form to be filed with the clerk; or

(b) Publishing a notice at least once a week for 2 consecutive weeks in a newspaper of general circulation in the county.".

Amend the bill as a whole by deleting section 2 and inserting:

"Sec. 2. NRS 602.050 is hereby amended to read as follows:

602.050 1. Every county clerk [must] *shall* keep, in alphabetical order, in a book or other suitable index provided for that purpose:

(a) A register of all the names of [such] *the* corporations, businesses, or fanciful or fictitious designations, as shown in the certificates.

(b) Unless it is a corporation, the name of each person shown to be interested in or a partner in such a business.

2. Every county clerk shall charge for each corporate or firm name entered [a] *an annual* fee of $10, which is full compensation for filing and registration.".

Amend the title of the bill, first line, by deleting "biennial" and inserting "annual".

Amend the summary, first line, by deleting "biennial" and inserting "annual".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 558.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 929.

Amend sec. 2, page 1, line 3, before "*The*" by inserting "*1.*".

Amend sec. 2, page 1, by deleting lines 5 through 12 and inserting: "*more on a condition that the licensee will provide for horse racing on at least 50 days in each year, beginning July 1, 1988. The commission may waive the required number of days of horse racing for such reasons as a natural disaster, contractual disputes or a strike. Of the number of days required for horse racing, no more than 10 may be*

credited for horse racing which is conducted by an agricultural association, county fair or other organization not for profit which is authorized by the commission to do so.

2. If, as a result of the completion of a suitable track for horse races as determined by the commission, such a licensee is able to race horses before July 1, 1988, he shall provide for horse racing on at least 40 days in each subsequent period of 365 days until July 1, 1988. No more than 6 days of the number of days so required for horse racing may be credited for horse racing which is conducted by an agricultural association, county fair or other organization not for profit authorized by the commission to do so.''.

Amend sec. 4, page 2, line 16, by deleting ''*sections 2 and*'' and inserting ''*section*''.

Amend the bill as a whole by adding a new section, designated section 7.5, following section 7, to read as follows:

''Sec. 7.5. NRS 466.080 is hereby amended to read as follows:

466.080 1. The racing commission fund is created as a special revenue fund, from which the commission may pay, within the limits of legislative authorization, its expenses for the administration of this chapter.

2. The commission shall distribute the proceeds of the taxes collected pursuant to NRS 466.120 and subsection 1 of NRS 466.125 in the following order of priority:

(a) One percent of all pari-mutuel money handled on greyhound races *, and on horse races which are not conducted by a state fair association, agricultural society, county fair and recreation board or other association to which state or county aid is given,* to the city in which the races are conducted or, if the races are conducted outside any city, to the county in which they are conducted.

(b) The amount authorized by the legislature, less any amount deposited pursuant to subsection 3, to the racing commission fund.

(c) The remainder to the state general fund.

3. The commission shall deposit with the state treasurer for credit to the racing commission fund an amount of the proceeds of the tax imposed by subsection 2 of NRS 466.125, not to exceed the amount authorized for the expenditures of the commission by the legislature, which equals its costs apportioned to the race tracks and pay the remainder to each county agricultural association in proportion to the amount of taxes paid to the commission by each association.''.

Amend the bill as a whole by renumbering section 10 as section 15 and adding new sections, designated sections 10 through 14, following section 9, to read as follows:

''Sec. 10. For the purposes of improving and maintaining Las Vegas Downs, the Nevada racing commission shall establish and administer a trust account in a financial institution licensed in this state. The account must bear interest. The trustees of the account must be one person representing the commission and one person representing a person, association or corporation licensed to conduct greyhound racing in a county whose population is 250,000 or more.

Sec. 11. Notwithstanding the provisions of NRS 466.080, 466.125, 466.153 and 466.159, beginning July 1, 1983:

1. A person, association or corporation licensed to conduct greyhound racing in a county whose population is 250,000 or more shall pay to the Nevada racing commission:

(a) All odd cents less than 10 cents per dollar deducted from paid bets pursuant to subsection 2 of NRS 466.151;

(b) The money which accrues from all outstanding pari-mutuel tickets which are not cashed in within 90 days after the date of their purchase or 10 days after the close of any race meeting; and

(c) One percent of the gross amount of pari-mutuel money it handles for greyhound racing, in addition to the taxes imposed by chapter 466 of NRS.

2. The Nevada racing commission shall deposit in the trust account established pursuant to section 10 of this act:

(a) All money received pursuant to subsection 1;

(b) One percent of all pari-mutuel money handled on which a tax was paid to the commission pursuant to NRS 466.125 for the use of the state; and

(c) One fourth of the money directed to be distributed to the city or county pursuant to NRS 466.080.

Sec. 12. Upon the authorization of the Nevada racing commission, the money in the trust account may be expended only for:

1. The capital improvement of Las Vegas Downs;
2. The maintenance of Las Vegas Downs; and
3. The repayment, with interest, of any debt incurred for the capital improvement of Las Vegas Downs.

Sec. 13. 1. Upon the order of the Nevada racing commission, the licensee shall begin the capital improvement of Las Vegas Downs to make it suitable for racing horses and accommodating the related pari-mutuel wagering.

2. The licensee shall submit the plans and specifications for the capital improvement to the Nevada racing commission for its approval.

3. The Nevada racing commission may adopt such regulations as are necessary for the successful improvement and maintenance of Las Vegas Downs, including matters such as the disbursement and accounting of the money in the trust account established for this purpose.

Sec. 14. When the capital improvement of Las Vegas Downs necessary to make it suitable for racing horses and accommodating the related pari-mutuel wagering is completed and any related debt is repaid:

1. The money in the trust account must be used in equal portions for:

(a) Capital improvements of Las Vegas Downs; and

(b) The purposes of NRS 466.085.

2. The licensee need no longer pay to the commission the additional one percent of the gross amount of pari-mutuel money it handles for greyhound racing previously required by section 11 of this act.

3. The commission shall no longer deposit in the trust account

money other than that received from the licensee pursuant to paragraphs (a) and (b) of section 11 of this act.

4. The secretary of the commission shall certify to the legislative counsel the date on which repayment of the debt is completed or the capital improvement is completed, whichever is later.''.

Amend the title of the bill, third line, after ''racing;'' by inserting: ''providing for the capital improvement and maintenance of Las Vegas Downs;''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 567.

Bill read second time.

The following amendments were proposed by the Committee on Taxation:

Amendment No. 924.

Amend section 1, page 1, line 5, by deleting ''*7.5*'' and inserting ''*1.5*''.

Amend section 1, page 1, line 9, by deleting the colon.

Amend section 1, page 1, by deleting lines 10 through 12 and inserting: ''*distribute those proceeds to the library fund of each*''.

Amend section 1, page 1, by deleting lines 18 through 21.

Amend the bill as a whole by deleting sections 2 and 3 and inserting: ''Secs. 2-3. (Deleted by amendment.)''.

Amendment No. 849.

Amend the bill as a whole by inserting a new section, designated as section 3.5, following section 3, to read as follows:

''Sec. 3.5. 1. The legislature finds that:

(a) The residents of the town of Pahrump, located in Nye County, need and desire a publicly supported library.

(b) The provisions of NRS 379.023, permitting a tax levy for town libraries which were in existence on July 1, 1967, do not apply to the town of Pahrump because the town did not have a library at that time.

(c) The number of taxpayers in the town of Pahrump largely exceeds the number of actual residents, and thus the residents have not been able to meet the requirements of NRS 379.021 relating to the establishment by petition of a publicly supported county library district.

(d) Requiring by special act the creation of a county library district for the town of Pahrump is appropriate under the circumstances.

2. The board of county commissioners of Nye County shall order the creation of a county library district whose boundaries are the same as the boundaries of the unincorporated town of Pahrump. Upon the creation of the district, the board of county commissioners shall appoint district library trustees, levy a tax upon all taxable property in the district pursuant to the budget submitted by the trustees, and otherwise proceed as required by law with respect to county library districts.''.

Amend the title of the bill, third line, before ''and providing'' by

inserting: "requiring by special act the creation of a county library district for the town of Pahrump;".

Assemblyman May moved the adoption of the amendments.

Remarks by Assemblyman May.

Amendments adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 535.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 932.

Amend sec. 2, page 1, line 5, by deleting "*system*" and inserting: "*pari-mutuel system of wagering*".

Amend sec. 2, page 1, by deleting lines 7 and 8 and inserting: "*horse races or other sporting events which take place outside this state.*".

Amend sec. 3, page 2, line 1, after "*commission*" by inserting: ", *upon the recommendation of the state gaming control board,*".

Amend sec. 3, page 2, by deleting line 3 and inserting: "*race or sporting event.*".

Amend sec. 3, page 2, line 5, by deleting "*take*" and inserting "*takes*".

Amend sec. 3, page 2, line 7, by deleting "*watering*" and inserting "*wagering*".

Amend sec. 3, page 2, after line 8 by inserting:

"*3. No person or governmental agency from outside this state may receive any commission or otherwise share in the revenue from the conduct of off-track pari-mutuel wagering in this state without the approval of the Nevada gaming commission. The commission may approve any such person or governmental agency which applies, after such investigation as the state gaming control board deems proper.*".

Amend sec. 4, page 2, by deleting lines 12 through 22 and inserting:

"*2. A licensed gaming establishment which has been approved to conduct off-track pari-mutuel wagering on horse racing or dog racing shall include within gross revenue, for the purpose of determining the amount of the state license fee imposed by NRS 463.370, the total commission deducted from off-track pari-mutuel wagering before it is divided in any manner.*".

Amend sec. 6, page 3, by deleting line 9 and inserting:

"*(b) Within a licensed gaming establishment which has been approved to conduct off-track*".

Amend sec. 7, page 3, lines 30 and 31, by deleting: "*on a race or event which takes place in another state,*" and inserting an italicized comma.

Amend sec. 7, page 4, lines 7 and 8, by deleting: "*or section 4 of this act*".

Amend sec. 8, page 4, by deleting lines 16 and 17 and inserting:

"the meeting grounds or enclosure [:] *or the licensed gaming establishment which has been approved to conduct off-track pari-mutuel wagering:*".

Amend sec. 10, page 4, by deleting lines 30 through 36 and inserting: "464.070 [A wager made inside an enclosure under the pari-mutuel system for a principal who is not within the enclosure shall be considered a wager made within the enclosure for the purpose of this chapter, and any activity of the principal in connection with such wager shall not be considered a wager made outside the enclosure.] *A pari-mutuel wager placed at the enclosure where the wagered race or event is conducted may be made by an agent if the principal is present on the premises. All off-track pari-mutuel wagering must be done by a principal.*".

Amend the bill as a whole by renumbering sections 13 and 14 as sections 17 and 18 and inserting new sections, designated as sections 13 through 16, following section 12, to read:

"Sec. 13. NRS 466.100 is hereby amended to read as follows:

466.100 1. Any natural person, association or corporation desiring to conduct racing within the State of Nevada must apply to the state gaming control board for a license so to do. The application must be in such form and supply such data and information as the board prescribes.

2. The board shall investigate the applicant, and any other person whom it believes necessary to determine the applicant's suitability to receive a license to conduct racing. The cost of the investigation must be paid by the applicant. The board shall recommend in writing to the Nevada gaming commission either approval or denial of the license. If denial is recommended, the board shall prepare and file with the commission its written reasons for that recommendation. If the board recommends denial, the Nevada gaming commission may grant the license only by unanimous vote of the members present.

3. *Each license issued by the Nevada gaming commission to conduct horse racing must be conditioned upon the licensee's approving any locations which may be established in this state for off-track pari-mutuel wagering as required by 15 U.S.C. § 3004(b)(1)(A) as enacted and as this subsection may be amended from time to time.*

4. The decision of the Nevada racing commission on the award of all dates, the conduct of races and any other matter concerning racing which is not expressly conferred upon the Nevada gaming commission, is final, but the commission shall, in awarding dates, give preference to agricultural associations for the dates on which each has conducted racing in previous years.

[4.] *5.* The Nevada gaming commission may revoke, modify or suspend a license , *fine a licensee* or refuse to issue a license if it has reasonable cause to believe that the public interest can best be served by such an action. [No license may be revoked or suspended until after a hearing held by that commission after notice in writing to the licensee or his agent or employee in charge of the licensed premises. The reasons for such an action must be written in full in the records of that commission. The action of that commission in revoking, modifying,

suspending or refusing to issue a license as requested by an applicant is subject to review by the courts of this state.] *Any such action must comply with the procedures set forth in NRS 463.310 and 463.312. The judicial review provided in NRS 463.315 is available to any person aggrieved by the final decision of the Nevada gaming commission to revoke or suspend a license or fine a licensee.*

[5.] *6.* The Nevada gaming commission may issue a license to conduct greyhound racing:

(a) In a county whose population is 250,000 or more:

(1) Only if the license is issued in conjunction with a license to conduct horse racing and for a track on which horse racing is actually conducted, unless the Nevada gaming commission, for good cause, modifies or waives those requirements for a period not exceeding 1 year after the date of opening; and

(2) Only on a condition that the licensee provide for horse racing at least 40 days in each year. On any number of these required days, horse racing may be conducted by an agricultural association, county fair or other organization not for profit which is authorized by the commission to do so, and the licensee to conduct dog racing must be credited with 6 days toward the required 40 days even if no horse racing or fewer than 6 days is actually conducted by any such organization.

(b) In any other county, only if the licensee:

(1) Provides for horse racing as required under paragraph (a); or

(2) Unless there are 40 or more days of horse racing, approved by the Nevada racing commission, conducted within 100 miles of his track, pays to the commission $200,000 for each year or an amount equal to 0.5 percent of all pari-mutuel money handled, whichever is greater, to be distributed by that commission as additional purses for horses racing in this state. If fewer than 40 days of horse racing are so conducted, the amount required by the preceding sentence is reduced by a proportion equal to the ratio of days of horse racing actually conducted to days of greyhound racing actually conducted. The percentage required by this subparagraph must be paid daily, and any further amount required must be paid at the close of dog racing for the calendar year. The Nevada racing commission shall apportion $1,000 to be distributed at each track where horse racing is conducted on each day of racing authorized by that commission, and the remainder of the money among those tracks in proportion to the pari-mutuel money handled by each.

[6.] *7.* Before the running of any race meet licensed by the Nevada racing commission, the licensee shall post with that commission cash not to exceed $50,000 or a bond payable to the State of Nevada in such amount, not to exceed $50,000, as that commission deems necessary, issued by a corporate surety authorized to do business in this state, conditioned for the payment of all money due to the state, the payment of purses to the participants, and the employees of the licensee. After the race meet the posted cash or bond must be returned or exonerated as the case may be, upon full performance by the licensee. Agricultural associations conducting race meets are exempt from this subsection.

[7.] *8.* A licensee holding a license to conduct greyhound racing shall not sell any stock in the enterprise to the public.

[8.] *9.* A license to conduct horse or dog racing issued by the Nevada gaming commission or Nevada racing commission continues to be valid without renewal unless it is suspended or revoked or the licensee changes the location at which he conducts racing or ceases to conduct racing.

Sec. 14. NRS 466.105 is hereby amended to read as follows:

466.105 1. Every application for a license to conduct pari-mutuel wagering under this chapter must be made upon forms prescribed and furnished by the state gaming control board. The board shall investigate the applicant, including its officers and directors, if any, in the same manner as applicants for gaming licenses.

2. The cost of each investigation made pursuant to this section must be paid by the applicant. Investigation costs must be charged on the same basis as those for gaming license investigations.

3. The state gaming control board shall make its recommendations to the Nevada gaming commission, and that commission shall grant or deny licenses, in the same manner as prescribed in chapter 463 of NRS for a state gaming license.

4. Each license issued by the Nevada gaming commission to conduct pari-mutuel wagering under this chapter must be conditioned upon the licensee's approving any locations which may be established in this state for off-track pari-mutuel wagering as required by 15 U.S.C. § 3004(b)(1)(A) as enacted and as this subsection may be amended from time to time.

Sec. 15. NRS 466.115 is hereby amended to read as follows:

466.115 A license [shall] *must* not be issued to conduct pari-mutuel wagering at a track which is less than 100 miles from another track at which pari-mutuel betting is already licensed to be conducted during the race meet of the track first licensed unless:

1. The second track is a county fair race meeting authorized by the commission which does not exceed 6 days in duration during that calendar year; or

2. One of the tracks has qualified for licensing under subparagraph (2) of paragraph (b) of subsection [5] *6* of NRS 466.100.

Sec. 16. NRS 466.140 is hereby amended to read as follows:

466.140 *1.* The commission may [, in its discretion,] meet at any time and award dates for racing upon applications submitted to it within the limits provided by this chapter. The dates so awarded [shall] *must* in no way conflict with the provisions of this chapter, and no license for a race meeting [shall] *may* issue prior to the payment of the fees therefor at the rate provided in NRS 466.120.

2. The commission shall not award any dates for racing until the applicant gives its approval of any locations which may be established in this state for off-track pari-mutuel wagering as required by 15 U.S.C. § 3004(b)(1)(A) as enacted and as this subsection may be amended from time to time.".

Amend sec. 13, page 5, by deleting line 33 and inserting: "*(b) A licensed gaming establishment which has been approved to conduct*".

Amend sec. 14, pages 5 and 6, by deleting lines 40 through 44 on page 5 and lines 1 and 2 on page 6 and inserting: "466.157 [A wager made inside an enclosure under the pari-mutuel system for a principal who is not within the enclosure shall be considered a wager made within the enclosure for the purpose of this chapter, and any activity of the principal in connection with such wager shall not be considered a wager made outside the enclosure.] *A pari-mutuel wager placed at the track where the wagered race is conducted may be made by an agent if the principal is present on the premises. All off-track pari-mutuel wagering must be done by a principal.*".

Amend the title of the bill, line 2, by deleting "wagering, including pari-mutuel".

Amend the title of the bill, line 4, after the semicolon by inserting: "imposing certain conditions on applicants for licensing or approval in connection with horse racing and pari-mutuel wagering in this state;".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 536.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 926.

Amend section 1, page 1, by deleting lines 2 through 8 and inserting: "thereto the provisions as set forth in sections 2 to 8, inclusive, of this act.".

Amend the bill as a whole by adding new sections, designated as sections 2 through 9, following section 1, to read:

"Sec. 2. *1. Except as provided in sections 2 to 8, inclusive, of this act, gaming debts not evidenced by a credit instrument are void and unenforceable and do not give rise to any administrative or civil cause of action*

2. A claim by a patron of a licensee for payment of a gaming debt not evidenced by a credit instrument may be resolved by the board in accordance with sections 3 to 8, inclusive, of this act.

Sec. 3. *1. Whenever a licensee refuses payment of alleged winnings to a patron, the licensee shall immediately notify the board. The board, through an agent, shall conduct whatever investigation it deems necessary and shall determine whether or not payment should be made.*

2. The board's agent shall notify the board, the licensee and the patron of his decision resolving the dispute, in writing, within 30 days after the date when the board first received notification from the licensee.

3. Failure to notify the board as provided in subsection 1 is grounds for disciplinary action pursuant to NRS 463.310 and 463.312.

Sec. 4. *1. Within 20 days after the date of the agent's written decision, the aggrieved party may file a petition with the board requesting a hearing to reconsider the decision. The petition must set forth the basis of the request for reconsideration.*

2. If no petition for reconsideration is filed within 20 days after the date of the agent's decision, the decision shall be deemed final action on the matter and is not subject to reconsideration by the board or to review by the commission or any court.

3. The party requesting the hearing must provide a copy of the petition to the other party.

4. Within 15 days after service of the petition, the responding party may answer the allegations contained therein by filing a written response with the board.

5. The board shall schedule a hearing and may conduct the hearing as provided in subsection 4 of NRS 463.110, except that notice of the date, time and place of the hearing must be provided by the board to both parties.

6. The hearing must be conducted in accordance with subsections 10 to 12, inclusive, paragraphs (b) to (g), inclusive, of subsection 13 and subsections 14 to 17, inclusive, of NRS 463.312, except that the board must be substituted for the commission.

Sec. 5. *1. The party seeking reconsideration bears the burden of showing that the agent's decision should be reversed or modified.*

2. After the hearing, the board may sustain, modify or reverse the agent's decision. The decision by the board must be in writing and must include findings of fact. A copy of the board's decision must be delivered or mailed forthwith to each party or to his attorney of record.

Sec. 6. *1. The decision of the board is subject to judicial review pursuant to NRS 463.315, except that the board may not entertain a petition for rehearing.*

2. The party requesting judicial review shall bear all of the costs of transcribing the proceedings before the board and of transmitting the record on review.

Sec. 7. *A licensee shall pay a patron's claim within 20 days after the decision directing him to do so becomes final. Failure to pay within that time is grounds for disciplinary action pursuant to NRS 463.312.*

Sec. 8. *The commission may adopt such regulations as it deems necessary to carry out the provisions of sections 3 to 8, inclusive, of this act.*

Sec. 9. This act shall become effective upon passage and approval and applies only to transactions occurring on or after that date.''.

Amend the title of the bill by deleting lines 1 through 3 and inserting:

''An Act relating to gaming; providing for administrative resolution of certain gaming disputes; providing for judicial review; and providing other matters properly relating thereto.''.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 37.

Resolution read.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 933.

Amend the resolution, page 1, line 20, by deleting: "is directed to allot" and inserting "shall:".

Amend the resolution, page 2, by deleting lines 1 and 2 and inserting:

"1. Allot the money to:

(a) Assist the needy of this state to pay their utility bills; and

(b) Provide direct grants to the needy for the installation of devices to conserve energy.

2. Inform the recipients of the assistance, or grants, of practices which will conserve energy; and be it further".

Amend the title of the resolution, fourth line, by deleting "." and inserting: "and installing devices to conserve energy.".

Amend the summary of the resolution, third line, by deleting "." and inserting: "and installing devices to conserve energy.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Resolution ordered reprinted and engrossed.

Assemblyman Nicholas moved that Assembly Bill No. 577 be taken from its position on the General File and placed on the General File immediately following Assembly Bill No. 155.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 155.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 848.

Amend sec. 3, page 3, line 7, by deleting "January" and inserting "July".

Amend sec. 10, page 4, line 43, by deleting "January" and inserting "July".

Assemblyman Redelsperger moved the adoption of the amendment.

Remarks by Assemblyman Redelsperger.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 577.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 943.

Amend sec. 2, page 2, by deleting lines 14 through 40 and inserting:

"217.200 1. The hearing officer may order the payment of compensation and the award of a governor's certificate for meritorious citizen's service to a victim as defined in NRS 217.070 for:

(a) Medical expenses, *expenses for psychological counseling* and nonmedical remedial care and treatment rendered in accordance with a religious method of healing, actually and reasonably incurred as a result of the personal injury or death of the victim;

(b) Loss of earnings or support not to exceed [$150] *$200* per week and reasonably incurred as a result of the total or partial incapacity of the victim;

(c) Pecuniary loss to the dependents of a deceased victim;

(d) Funeral expenses, not in excess of $1,000, which are actually and reasonably incurred as a result of the death of the victim; and

(e) Any other loss which results from the personal injury or death of the victim and which the hearing officer determines to be reasonable.

2. *The hearing officer may order that an emergency award be made to the victim to avoid financial hardship. The hearing officer may order that the amount of the emergency award be deducted from the final award, or if the emergency award exceeds the amount finally awarded to the victim, that the victim repay the difference between the two awards.* An award of compensation *including any emergency award ordered to be paid in advance to assist the victim,* may be made subject to such terms and conditions as the hearing officer considers necessary or advisable with respect to payment, disposition, allotment or apportionment of the award.

3. No award may be made for less than $100 or for more than [$5,000] *$15,000* except in the case of a minor who was involved in the production of pornography.".

Assemblyman Malone moved the adoption of the amendment.

Remarks by Assemblyman Malone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Senate Bill No. 298 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Dini.

Motion carried.

GENERAL FILE AND THIRD READNG

Assembly Bill No. 304.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 304:

YEAS—41.

NAYS—Jeffrey.

Assembly Bill No. 304 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 438.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Assembly Bill No. 438:

YEAS—42.

NAYS—None.

Assembly Bill No. 438 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 449.

Bill read third time.

Remarks by Assemblymen Joerg, Getto, Schofield, Price, Bergevin, Kovacs, Craddock, Sader, May, Dini and Brady.

Assemblyman Coffin requested that the following remarks be entered in the Journal:

ASSEMBLYMAN JOERG:

Thank you, Mr. Speaker. Before I start with Section 1, I would just like to say that I think that this is probably the bill that had the most extensive hearings in your Taxation Committee. We have been working on this for a long time now, and we are going to see whether you like it or not, I guess.

Section 1 simply deletes the local Governmental Finance Committee that was created in the 1981 session. Section 2 on pages 2 and 3 again deletes the same committee and replaces it with the Tax Commission. In Section 3 the so-called Clarke-McNary Fire Protection Districts are included in the distribution of the supplemental city-county relief tax. For the benefit of the body, there are five of those, I think. There is the Mt. Charleston one in Las Vegas, there is the Sierra one here locally, there is one in Douglas, there is one in Elko and one somewhere else; I can't remember where it is.

In Section 4 we remove the provision for short-term financing to be repaid with overrides. In Section 5, we conform this language in this bill to Senate Bill No. 27, which we passed earlier. We direct the Director of the Department of Taxation to add to a local government's maximum combined allowable revenue any amount approved by this legislature, or future legislatures for that matter, for the cost of legislatively mandated programs. An example of that may be if you create a second or third or additional district court judge in a district or in a county, that county would then be allowed to provide for the revenue to pay for it.

We removed the authority to approve excess supplemental city-county relief tax for additional expenditures. Instead, money would be used to reduce ad valorem property taxes in the subsequent year.

Lastly but not leastly, Carson City is made a single taxing district. Now, Mr. Getto.

ASSEMBLYMAN GETTO:

Thank you, Mr. Speaker. Section 6 deals with where there is an agreement between entities prior to June 30, 1981, whereby one reduced its tax rate in exchange for cash payment from the other must be honored unless a reduction is approved by the Tax Commission. A specific example is in Churchill County in the city of Fallon. The city agreed to reduce its tax rate so the tax rate would be broader, and then there was a

grant from the county to the city. This agreement was placed in the last tax measure in the last session and this section would place it into Assembly Bill No. 449.

In Section 6, the Tax Commission is given the authority to approve a base maximum allowable revenue for a new entity or for an entity that received no property tax revenue for operating during the fiscal year 1980-81. The entity then could receive a share of the SCCRT. As an example, if a new fire district comes on line and has not received any ad valorem tax, or, for instance an unincorporated city would start up they would not have a base, so this would give the authority to the Tax Commission to establish the base so they could share in the SCCRT.

ASSEMBLYMAN SCHOFIELD:

Thank you, Mr. Getto. Thank you Mr. Speaker. Under the present law the Interim Legislative Committee on Local Government Finance has the authority to authorize special distribution from the reserve fund for supplemental city-county relief tax. The committee is required to use the criteria that is contained in NRS 354.5986, but with Section 8, that authority is transferred from the interim committee to the Nevada Tax Commission by this Section 8, and NRS 354.5986 is actually being deleted by Section 12 of this bill. The criteria contained in that section for a special distribution is added as lines 27 through 41 on page 7 of the bill. Section 9, pages 7 through 10, imposes an aggregate limitation on fees for licenses or permits. The increases are tied to CPI increases and the percentage of new real property added to the assessment roll. Presently, a flat fee for any individual license or permit may be increased annually by no more than 80 percent of the increase in the CPI for the previous calendar year. A fee that is calculated as a percentage of total revenue of the business may not be increased if total revenues from such fees have increased during the preceding calendar year by 80 percent or more of the CPI increase.

In contrast, this bill would delete the limitation on individual fees and replace it with an aggregate limitation on the amount of revenue that an entity can receive from fees for licenses or permits. This aggregate amount would be permitted to increase each year by the percentage increase in the CPI plus a factor for growth as measured by new real property placed on the assessment roll for the first time. A fee that is calculated as a percentage of the total revenue of the business may not be increased if total revenues from such fees have increased by 100 percent or more of the CPI increase during the previous calendar year.

Presently, the Local Governmental Finance Committee can approve increases under certain limited circumstances. Under section 9, the Nevada Tax Commission would be permitted to approve increases under certain limited circumstances. Under section 9, the Nevada Tax Commission would be permitted to approve increases for emergency situations if insufficient reserve for SCCRT funds are available for the entity.

In section 9.5 this section imposes a limitation on service charges. Examples of service charges are: sewer and water fees, golf course fees, a charge for swimming at a public pool and other similar enterprise activities which are not of a regulatory nature.

A local government would be permitted to increase an existing service charge by an amount necessary for debt service or reasonably necessary to meet the actual expense or providing the service. Any other increase must be submitted to the Executive Director of the Department of Taxation for approval, and his decision may be appealed to the Tax Commission either by the local government or by any person required to pay the fee. A proposal for a new service charge must be submitted to the Tax Commission.

ASSEMBLYMAN PRICE:

The first changes in Section 10 actually occur on page 11. As you will see, it is deleting the short-term financing repealers that had previously been in by law. As you go down to line 27, it repeals what we used to fondly refer to as the unconstitutional Interim Legislative Committee on Local Government Finance, and replaces that with the Nevada Tax Commission. Then we go on to Section 12, and you will see those numbers there, NRS 354.585 and so forth, and that is the actual repealers whereby we created the Local Governmental Finance Committee and its authority to give temporary overrides. As you may recall during the last interim, if a city or county had monetary problems, particularly anything that had been imposed upon by the legislature, they could come before that committee and ask for authority to exceed their tax rate, in which cases I believe, after adding up, the committee must have granted all of the requests.

Section 13 are sunsets. All of those sections that they are talking about there are where we are repealing the prior sunsets on the various taxes. In Section 14 on page

12, down around line 34 and 35, is the last removal of the Interim Committee on Local Government Finance, and it is again replaced by the Nevada Tax Commission.

ASSEMBLYMAN BERGEVIN:

Thank you, Mr. Speaker. Section 15 merely excludes the proceeds of mines from being a method in the calculation of maximum allowable revenue, due to the fact that this is an estimated amount at the time that the distributions were made, and it has become a very bad thorn in the side of trying to make proper distributions, and will not make a great amount of difference between the distributions that are made.

Section 16 is a very important section for the cities and counties who, during the last interim, had overrides approved by the Interim Government Finance Committee, which is presently being obliterated by this committee. If you will look at your list in Section 16, Clark County $15,337,898. Of that amount, about $10,000,000 will be into the 1983-84 maximum allowable tax base and the remaining $5,000,000 will be put in the 1984-85 maximum allowable tax base, subject to some revisions of an additional $2,000,000 that they were previously granted. If you will look further in Section 16 you will see that language. Douglas County, $506,650, of which $246,000 will be allowed in the first fiscal year of the biennium, $230,000 in the rest. If you read on down, Elk Point Sanitation is for the refunding of a bond and will only be allowed as long as that bond has to be refunded. The rest are on-going overrides built into the maximum allowable revenue bases of the various counties and cities that are listed.

It also establishes tax bases for the Clarke-McNary fire districts inasmuch as these were not considered government entities under the 1981 tax law, and we are now putting them in there. We had to establish budgets for those particular entities and write them into the law so that they would have a base for distribution of SCCRT. The same goes down further for Amargosa, Laughlin and Tonopah. These are three new cities with three new bases that have never had taxes before. They had to have a tax base established for the purpose of applying a property tax and also for getting SCCRT distributions.

Section 17 is probably the whole meat of this bill, and it has an override provision on the maximum allowable revenue. I think for the benefit of the Assembly, I would like to read you just what maximum allowable revenue is all about. Maximum allowable revenue is the maximum amount of money that a local government is permitted to receive from the combination of property tax, excluding property tax for debt service, and the supplemental city-county relief tax. It is designed to recognize an entity's historic taxing effort and to adjust that amount annually for inflation and growth in real property. The 1980-81 taxing effort is based for maximum allowable revenue. The amount a county, city, town or general or special district actually receives from ad valorem taxes for purposes other than debt service during 1980-81, increased by no more than 12 percent, became the maximum allowable revenue for the fiscal year 1981-82. Beginning fiscal year 1981-82 and each year thereafter, the previous year's maximum allowable revenue is permitted to increase an amount equal to the percentage change in the Consumer Price Index, plus a percentage increase in assessed valuation which is due to new real property, possessory interest in mobile homes being added to the assessment roll for the first time. Maximum allowable revenue serves both as a limitation on combined ad valorem and SCCR revenue, and as a basis for the proportional distribution of SCCRT revenue among the various counties.

Section 18, which in our original maximum allowable revenue we had the additional revenue caps of 4½ percent of assessed valuation on last year's role. Section 18 allows a city, county or taxing district to exceed that 4½ percent up to a point of maximum allowable revenue if a petition is not filed by at least eight percent of the registered voters representing 4 percent of the property, to prohibit that increase. It is just basically that we are allowing each entity the opportunity to increase to their maximum allowable revenue if they so desire. We are not mandating this increase. It is a local level decision and will have to be made by the local governing bodies. However, if within 20 days after the final budget is approved, the people submit a petition signed by 8 percent of the registered voters representing 4 percent of the property, they are denied the ability to increase this to maximum allowable and will have to revert to the 4½ percent cap that is presently in place.

ASSEMBLYMAN KOVACS:

Mr. Speaker, now that you're all thoroughly confused, we'll make you more so in the last three sections. In Section 18, for fiscal year 1983-84 only, various dates for

revising budgets, delivery of the tax roll and property tax bills are extended. Also dates are established for the special election on the negative referendum that Mr. Bergevin just mentioned. If you will go to page 15, line 3, you will notice that the tentative budget for a local government may not be filed until the date on which notice is given of the public hearing. Line 6 states the public hearing must be held no earlier than May 20, 1983, or no later than June 3, 1983. In 18 and 19, the Nevada Tax Commission shall meet on June 21, 1983, to set the tax rates for local government. In regard to the negative referendum, if a petition is filed pursuant to Section 17 of this act, the governing body of the local governments, if they chose to propose to its registered voters an additional levy on ad valorem taxes, and if that takes place and their petition is filed, then the special election must be held on July 12, 1983. Notice of the election must be published at least once on or before July 8, 1983, in a newspaper of general circulation in the territory of the local government. Registration of the election closes on the day when the governing body chooses to propose the levy.

Section 19 directs the Tax Commission to require that the certified budget of the maximum allowable revenues is not exceeded and that date is extended. Section 20 is effective dates for this measure. Sections 13, 17, 18 and 19 of this action become effective upon passage and approval.

ASSEMBLYMAN CRADDOCK:

Mr. Speaker, this brief presentation that I want to make has to do with the state ad valorem summary that you received a couple of days ago on a long legal sized sheet. The questions that I have been asked most are, for instance, under the 4½ percent column. That's where the $11.3 million occurs under the maximum allowable. The reason that figure is missing there is that it is not allowed under current law, and that's the reason for the big disparity between the $95.4 million under fiscal year 1983 and the $87.4 million under the next column over under the 4½ percent. The authorized override or the additional money that was authorized by the Legislative Oversight Commission is simply not in the current law. That's the reason it was not figured in that column.

The next thing that has been called to my attention relates to the bottom four lines on that page. They get involved with some information that I asked for a week or so ago, and it has to do with the percentage of changes over the calendar years we've had from 1979 to 1984, at the top of the page. The percentage reduction in the total ad valorem collected from 1979 to 1980 was, in fact, 21.8 percent. It goes on across the face to where if we go to the maximum allowable, I think Mr. Bergevin explained a minute ago, it would go to plus 18.4, and this accumulated year by year. The next figure that really drew some interest was the accumulation of the CPI. If we go through the Consumer Price Index from the period of 1979 through the current year, we will find that we have 57.1 percent on the Consumer Price Index. And, of course, we have a population increase from 636,000 up to 886,000. If we look at the per capita expenditures on 1979 dollars, run it straight through, just straight dollars, we find that the per capita reduction in ad valorem service cost on a state average goes from $353 in 1979 down to $302 now. But if you take another factor, which is the Consumer Price Index, and spin that in, you go from the same $353 down to $153 currently, under the 4½ percent, which is current law, or the maximum allowable. Even if we went to the maximum allowable, we would still be down to $192 in real dollars, expenditures from ad valorem today as compared with the $353 some several years ago. So that gives you some idea, I hope, as to exactly what we are doing relating to taxes with the escallating factors, etc.

ASSEMBLYMAN SADER:

Thank you Mr. Speaker. I have a question, if I might ask, of Mr. Bergevin. I am a little bit confused, or I guess I just don't have enough information on the effect of a couple of the sections that you covered relating to the distribution of the SCCRT for the respective counties. My question is, as I understand the current distribution formula, the net effect of this bill would be to change the amount of money going to the respective counties somewhat. The net result would be a decrease to Washoe County from the current level of a little under a million and a half dollars. Now, most of the other counties are likewise reduced in their level of funding. Clark County and Douglas County are counties that are not reduced. They are increased, and the major increase is going to Clark County. Is that correct?

ASSEMBLYMAN BERGEVIN:

Mr. Sader, yes, that is correct. And that is due to the basic premise of the law of

the distribution of SCCRT going where the taxes have been levied historically and where the maximum allowable base is allowed to rise and flow with the expenditures in a given district. By approving the overrides, which are either expenditures mandated by this legislature or, in the case of Clark or Washoe County, most of the expenditures are mandated by a federal court order to build new prisons. That puts more money into their maximum allowable revenue. The SCCRT at the present time, the distribution to each county, is considered by the county's total maximum allowable revenue as it relates to a percentage of the state's total maximum allowable revenue. So the county budgets go up and is approved within the maximum allowable revenue. The distribution of the SCCRT is effected. That is correct.

ASSEMBLYMAN SADER:

After receiving the question, I know that the Taxation Committee has put a lot of work into this bill, and I think I can certainly compliment them on almost all provisions of this bill, but when we have a net effect of a decrease of a million and a half dollars in the SCCRT, a major ticket item for Washoe County, I part company with the committee, I guess. I would also like to state, as my figures have it, that other counties which would also be decreased in their SCCRT distribution from this bill would be Carson City, Elko, Esmeralda, White Pine, Humboldt and Washoe.

ASSEMBLYMAN MAY:

Thank you, Mr. Speaker. Mr. Sader is correct. However, keep in mind one thing. SCCRT was invented for one thing, as a supplement to ad valorem taxes. If you will look at the comparative tax rates in the areas that you mentioned, you will find they are, without exception, a great deal lower than those presently, or will be, in Clark if this measure is, hopefully, passed. A word about the Interim Legislative Committee on Local Government Finance. That was in sections 5 of Senate Bill No. 411 two years ago. A provision was made that a local government could appeal to that legislative committee for exemptions for mandates or court actions or for some reason beyond their control to provide funding for that particular duty they were given, or which fell upon them. Those are presently included in the present tax rates of those entities. This legislation seeks to carry them over far into the future as the expenses are not a one time expense, they are reoccurring expenses. And by the way, the Interim Legislative Committee on Local Government Finance was, much to the consternation of Mr. Bremner, I might add, dubbed the Interim Legislative Interim Finance Committee by the press, so the press would report actions by the Interim Finance Committee and Mr. Bremner had to take the brunt of many of our actions. That is all I have to say, except that I would like to apologize to Mrs. Zimmer, Mr. Banner and Mr. Francis. We ran out of sections before we got a chance to give them an opportunity to address the bill.

ASSEMBLYMAN BERGEVIN:

I really don't have any other response, except to say that Assembly Bill No. 449 allows the bill to work exactly as we had thought it would work, and the increase in maximum allowable that goes to Clark County covers the cost of the additional amounts that were built into their overrides. They are going to be stuck for a considerable amount more property tax to take care of those federal mandates, as is Douglas County. And I just want that very clear, that this is precisely the way the bill was designed to work. And it's based upon valuations of property and property tax rates and property tax expenditures. And if we deviate from that method, we destroy the whole premise of the tax package. One more thing that I did miss. The override on the negative referendum is for one year only. The coming budget year. After that, if a particular county or city wants to override the 4½ percent maximum allowable cap, they will have to go to a positive vote of the people. This is for one year only.

ASSEMBLYMAN DINI:

Thank you, Mr. Speaker. Three of the four counties that I represent will be taking a decline in SCCRT distribution. As an example, I just want to be sure that I'm on the right track. Lyon County will have a decline of about $100,000 in the distribution of SCCRT. On top of that, they went with their budget of $280,000 out of balance when they went in there. Which amounts to about 38 cents on the tax roll, plus 30 cents to the state that we are talking about, which is 93 cents then, and 63 cents for

the schools. We are talking about $1.58 increase in property taxes to that area. I would just like to know if I am on the right track with the Taxation Committee.

ASSEMBLYMAN BERGEVIN:

Mr. Dini, if my figures are correct, Lyon County, if they decided to go to the full maximum allowable revenue, and, as you say, you did pass on your own volition, a 60 cent debt service, your tax rate would increase by $1.41. The City of Yerington would increase by $1.52. Practically every district in Lyon County would be in the $1.40 district. Of course, you have to remember that 60 cents of that is what the people imposed upon themselves through a school bond issue.

ASSEMBLYMAN BRADY:

Thank you, Mr. Speaker. To Chairman May, just so I will understand about one piece I thought might be in here. Or Mr. Schofield. We have talked about a trigger in case of surpluses beyond a certain imbalance, with a trigger which would move certain expenditures up or a bit down on the property tax. Is that going to be in some bill forthcoming since I don't see it in here?

ASSEMBLYMAN SCHOFIELD:

The Senate Bill presently has amended our Assembly Bill No. 371, which was the other part of the tax package. Irrevertibly, when that particular portion of it was removed as far as the 30 cent property tax increase was concerned, that particular trigger mechanism on that roll up and roll down on the increase in the sales tax to continually decrease property tax will be in, and we will get it amended in the Senate before we get it, or we should have it back here this afternoon and it will be in there.

ASSEMBLYMAN BRADY:

Thank you, Mr. Speaker. Second question to Mr. Bergevin to make sure I understand this correctly. After the first year on this maximum allowed, because the first year would be a negative referendum, the second year we go back to the 4½ cap, and there won't be any maximum allowable unless it's put to a vote of the people?

ASSEMBLYMAN BERGEVIN:

That is correct. They will not be allowed to go beyond the 4½ percent cap the second year, unless it is put before a vote of the people. And we premise this on the idea that the economy is going to improve, the distribution of SCCRT will improve sufficiently, the assessed value will go up sufficiently to allow them a sufficient amount of money to operate without having to go to an override situation. In effect, if the economy does not improve, if they go back the second year to a 4½ percent cap it will be a considerable amount of money less than this bill is allowing, and if they want to proceed with that kind of spending habit, the people will have to vote positively on it.

ASSEMBLYMAN JOERG:

Thank you, Mr. Speaker. I would just like to indicate to the body also that even those counties, the representatives of those counties, which might lose a little bit of SCCRT under this bill, are supporting it. They think the concept is good. As Mr. Bergevin has indicated, it retains the basic philosophy of the 1981 distribution formula and they all agree with that, with maybe one exception. Right, Mr. Schofield. I would indicate to Mr. Sader that Washoe County and the City of Reno have all indicated their support for this bill, as has the Association of Counties and the cities.

Roll call on Assembly Bill No. 449:

YEAS—35.

NAYS—Beyer, Nevin, Nicholas, Sader, Stone, Swain, Thomas—7.

Assembly Bill No. 449 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 597.

Bill read third time.

Remarks by Assemblyman Bilyeu.

Roll call on Assembly Bill No. 597:

YEAS—42.

NAYS—None.

Assembly Bill No. 597 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 615.

Bill read third time.

Remarks by Assemblyman Bourne.

Roll call on Assembly Bill No. 615:

YEAS—42.

NAYS—None.

Assembly Bill No. 615 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Senate Bill No. 93 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 93.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 815.

Amend sec. 19, page 11, line 14, after "to" by inserting: "NRS 706.8827, 706.8841, 706.8848 to 706.885, inclusive, and".

Amend sec. 19, page 11, line 19, by deleting ", but any" and inserting ". Any".

Amend sec. 19, page 11, line 22, after "$95." by inserting: "If after refunding the maximum amount allowed a balance over $100,000 still remains, the administrator may use that balance and any interest earned on the fund, within the limits of legislative authorization for each fiscal year, to subsidize transportation for the elderly in taxicabs.".

Amend sec. 19, page 11, line 24, by deleting "$100" and inserting "$1,000".

Amend sec. 21, page 12, line 16, by deleting "and 12" and inserting ", 12 and 19".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 633; Senate Bill No. 381, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 633 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 633.

Bill read third time.

Remarks by Assemblyman Redelsperger.

Roll call on Assembly Bill No. 633:

YEAS—42.

NAYS—None.

Assembly Bill No. 633 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

In compliance with a notice given on a previous day, Assemblyman Stone moved that the vote whereby Assembly Bill No. 545 was refused passage be reconsidered.

Remarks by Assemblymen Jeffrey and Stone.

Assemblymen Stone, Bogaert and Ham requested a roll call on Assemblyman Stone's motion.

Roll call on Assemblyman Stone's motion:

YEAS—22.

NAYS—Berkley, Bourne, Chaney, Collins, Craddock, Dini, Fay, Jeffrey, Kerns, Kovacs, Malone, Marvel, Nicholas, Price, Sader, Sedway, Stewart, Swain, Thompson, Mr. Speaker—20.

The motion having received a majority, Mr. Speaker declared it carried.

Assemblyman Stone moved that Assembly Bill No. 545 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.

Motion carried.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 3 p.m.

Assembly in recess at 1:01 p.m.

ASSEMBLY IN SESSION

At 3:05 p.m.
Mr. Speaker presiding.
Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 12, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 28, 191, 240, 292, 388, 400, 410, 411, 511, 525, 573.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 58, 129, 370, 375, 420, 504, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day receded from its action on Assembly Bill No. 401.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 164.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 24.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 431.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 17.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 149, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 5 C, which is attached to and hereby made a part of this report.

RANDOLPH J. TOWNSEND	DANNY L. THOMPSON
JAMES W. BILBRAY	JOHN W. MARVEL
ALAN H. GLOVER	LOUIS W. BERGEVIN
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 5 C.

Amend section 1, page 2, line 32, by deleting "*Subject*" and inserting:

"*For the first violation, subject*".

Amend section 1, page 2, line 35, by deleting "*Ineligible*" and inserting:

"*For the second and any subsequent violation, ineligible*".

Amend section 1, page 2, line 36, by deleting "*department*" and inserting:

"*state board of agriculture*".

Amend sec. 2, page 3, line 11, after "*thereto.*" by inserting:

"*This requirement does not apply to animals whose accustomed range is on both sides of the Nevada state line and which are being moved from one portion to another of the accustomed range merely for pasturing and grazing thereon.*"

Assemblyman Thompson moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 149.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Economic Development, Tourism and Mining:

Assembly Bill No. 663—An Act relating to hours of work; lengthening the hours of work permitted in mines and related facilities; and providing other matters properly relating thereto.

Assemblyman Sader moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 664—An Act making appropriation from the state general fund to the interim finance committee for the support of programs at the University of Nevada to encourage the location or relocation of businesses in Nevada; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 431.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 370.

The following Senate amendment was read:

Amendment No. 889.

Amend section 1, page 1, line 6, by deleting "commission" the second time it occurs and inserting "commission .".

Amend sec. 3, page 2, line 8, by deleting the brackets.

Amend sec. 3, page 2, by deleting lines 15 through 17 and inserting:

"*3. The attorney general may, upon request, act as the attorney for the agency.*".

Amend the bill as a whole by deleting section 4.

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 370.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 503.

The following Senate amendment was read:

Amendment No. 828.

Amend section 1, page 2, line 6, by deleting "after [16]" and inserting "[after 16".

Amend section 1, page 2, by deleting line 7 and inserting: "years or more but less than 20 years of service] and is thereafter".

Amend sec. 2, page 3, line 17, by deleting "after [16]" and inserting "[after 16".

Amend sec. 2, page 3, by deleting line 18 and inserting: "years or more but less than 20 years of service] and is thereafter".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 503.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 504.

The following Senate amendment was read:

Amendment No. 901.

Amend section 1, page 1, line 15, by deleting "*If an*" and inserting "*If the*".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 504.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 550.

The following Senate amendment was read:

Amendment No. 871.

Amend sec. 3, page 1, line 15, by deleting "costs" and inserting "*cost and maintenance*".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 550.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 420.

The following Senate amendment was read:

Amendment No. 890.

Amend section 1, page 1, by deleting lines 4 and 5 and inserting:

"(a) [Willfully abuses any client;] *Has reason to believe that a client of the division has been or is being abused and fails to report it;*".

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 420.

Remarks by Assemblyman Stewart.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 307.

The following Senate amendment was read:

Amendment No. 881.

Amend section 1, page 1, by deleting lines 4 and 5 and inserting: "*transporting a child:*

(a) Under 5 years of age in the front seat of a motor vehicle registered in this state shall".

Amend section 1, page 1, by deleting lines 8 and 9 and inserting:

"*(b) Under 3 years of age in the rear seat of a motor vehicle registered in this state shall secure him in such a restraining device.*

(c) Three or 4 years of age in the rear seat of a motor vehicle registered in this state shall secure him in such a restraining device or in a safety belt.".

Amend section 1, page 2, line 8, by deleting "*vehicle.*" and inserting: "*vehicle, or in a rented vehicle.*".

Amend section 1, page 2, line 20, by deleting "*4*" and inserting "*3*".

Assemblyman Coffin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 307.

Remarks by Assemblyman Coffin.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 129.

The following Senate amendments were read:

Amendment No. 649.

Amend the bill as a whole by deleting section 9 and renumbering sections 10 through 14 as sections 9 through 13.

Amend the title of the bill, first and second lines, by deleting: "raising the amount of bond required to cover certain claims;".

Amendment No. 852.

Amend sec. 10, page 3, line 3, by inserting after the closed bracket: "*If the fee charged for securing the employment is not paid within 30 days after the date on which it is due, a penalty may be added to the fee which must not exceed 1 percent of the unpaid balance per month.*".

Amend the title of the bill, second line, after "materials;" by inserting: "authorizing the collection of a penalty for the late payment of certain fees;".

Assemblyman Banner moved that the Assembly concur in the Senate amendments to Assembly Bill No. 129.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 58.

The following Senate amendments were read:

Amendment No. 640.

Amend section 1, page 1, line 8, after "name" by inserting "*or other identification*".

Amend section 1, page 1, by deleting lines 10 through 12 and inserting: "*one piece of positive identification or a work permit issued*

pursuant to NRS 463.335 and a general description of the [dress,] complexion, color of hair, and facial appearance of the person with whom the transaction is had. *In lieu of recording the serial number of a piece of positive identification or a work permit, the record may contain an indication that the pawnbroker knows the person with whom the transaction is had.*''.

Amend the bill as a whole by renumbering sections 2 through 7 as sections 4 through 9 and adding new sections designated sections 2 and 3, following section 1, to read as follows:

''Sec. 2. NRS 646.040 is hereby amended to read as follows:

646.040 No property received in pledge by any pawnbroker [shall] *may* be removed from his place of business, except when redeemed by the owner thereof, within [4] *15* days after the receipt thereof [shall have been] *is* reported to the sheriff or the chief of police as provided in this chapter.

Sec. 3. NRS 646.060 is hereby amended to read as follows:

646.060 Every pawnbroker, and every clerk, agent or employee of a pawnbroker, is guilty of a misdemeanor [, who shall:

1. Fail] *if he:*

1. Fails to make an entry of any material matter in his book or record kept as provided for in NRS 646.020.

2. [Make] *Makes* any false entry in his book or record . [kept as provided for in NRS 646.020.

3. Falsify, obliterate, destroy or remove]

3. Obliterates, destroys or removes from his place of business the book or record . [kept as provided for in NRS 646.020.

4. Refuse]

4. Refuses to allow the district attorney or any peace officer to inspect the book or record [kept as provided for in NRS 646.020,] or any goods in his possession, during the ordinary hours of business.

5. [Report] *Reports* any material matter falsely to the sheriff or to the chief of police.

6. [Fail] *Fails* to report forthwith to the sheriff or to the chief of police the possession of any property which he may have good cause to believe has been lost or stolen, together with the name of the owner, if known, and the date when [,] and the name of the person from whom [the same was received by him.

7. Remove, or allow] *he received the property.*

7. Removes or allows to be removed from his place of business, except upon redemption by the owner thereof, any property received [,] within [4] *15* days after the receipt thereof [shall have been] *is* reported to the sheriff or to the chief of police.

8. [Receive] *Receives* any property from any person under the age of 18 years, any common drunkard, any habitual user of controlled substances as defined in chapter 453 of NRS, any habitual criminal, any person in an intoxicated condition, any known thief or receiver of stolen property, or any known associate of [such] *a* thief or receiver of stolen property, whether [such person be] *the person is* acting in his own behalf or as the agent of another.

9. [Violate] *Violates* any of the provisions of NRS 646.050.''.

Amend sec. 3, page 2, by deleting line 26 and inserting: "dence, driver's license number, vehicle license number [, license num-".

Amend sec. 3, page 2, line 31, by deleting the brackets.

Amend sec. 4, page 2, line 42, after "name" by inserting "*or other identification*".

Amend sec. 4, page 2, line 43, by deleting "The" and inserting: "[The] *If the transaction involves household furniture, the*".

Amend sec. 4, page 2, line 44, by deleting "dress," and inserting "[dress,]".

Amend sec. 4, page 3, by deleting lines 7 through 10 and inserting:

"(f)] The license number of the vehicle delivering each purchase.

[(g)] *(e)* A description of the property bought. In the case of watches, the description [shall] *must* contain the name of the maker and the number of [both] the works [and] *or* the case. In the case of jewelry, all let-".

Amend sec. 4, page 3, line 16, by deleting "*(e)*" and inserting "*(f)*".

Amend sec. 5, page 3, line 28, by deleting "[furnish] *mail*" and inserting: "furnish *, by mail or any other means,*".

Amend sec. 6, page 3, by deleting lines 41 and 42 and inserting: "his place of business within 4 days after the receipt thereof [shall have been] *is* reported *or a record of the receipt of the property is furnished or mailed* to the".

Amend sec. 7, page 4, line 28, by deleting "*mailed*" and inserting "*furnished or mailed*".

Amendment No. 884.

Amend sec. 2, page 2, line 20, by deleting "*15*" and inserting "*10*".

Amend sec. 3, page 3, line 6, by deleting "*15*" and inserting "*10*".

Amend sec. 6, page 4, by deleting lines 4 and 5 and inserting:

"(c) The name, age, driver's license number, [vehicle license number,] street and house".

Amend sec. 6, page 4, line 13, by deleting "(f)] The" and inserting:

"(f) The] *If the transaction involves household furniture, the*".

Amend sec. 8, page 5, line 4, by deleting "4" and inserting "[4] *10*".

Amend sec. 9, page 5, line 33, by deleting "4" and inserting "[4] *10*".

Assemblyman Berkley moved that the Assembly concur in the Senate amendments to Assembly Bill No. 58.

Remarks by Assemblyman Berkley.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended, Assembly Bill No. 558 declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that Assembly Bill No. 558 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 570, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 278, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 570 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

By Assemblyman Price:

Assembly Concurrent Resolution No. 50—Directing the legislative commission to study the taxation of aircraft, the fuel used in aircraft, and the promotion of aviation in Nevada.

Assemblyman Price moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assembly Concurrent Resolution No. 37.

Assemblyman Nevin moved the adoption of the resolution.

Remarks by Assemblyman Nevin.

Resolution adopted unanimously, as amended.

SECOND READING AND AMENDMENT

Senate Bill No. 278.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 949.

Amend sec. 5, page 4, line 21, by inserting after the period: "Each member must reside in the portion of the service area which he represents but must be elected by the registered voters of the entire district.".

Amend sec. 9, page 7, by deleting lines 25 through 28.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 346, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB COFFIN, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 558.

Bill read third time.

Remarks by Assemblymen Jeffrey, Swain, Bourne, Kovacs, Thompson, Stone, Thomas and Chaney.

Roll call on Assembly Bill No. 558:

YEAS—40.

NAYS—Stewart, Swain—2.

Assembly Bill No. 558 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended, Assembly Bills Nos. 553, 556 and 567 declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that Assembly Bills Nos. 553, 556 and 567 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 553.

Bill read third time.

Remarks by Assemblyman Bilyeu.

Roll call on Assembly Bill No. 553:

YEAS—41.

NAYS—Nicholas.

Assembly Bill No. 553 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 556.

Bill read third time.

Remarks by Assemblymen Stone and Sader.

Roll call on Assembly Bill No. 556:

YEAS—42.

NAYS—None.

Assembly Bill No. 556 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 567.
Bill read third time.
Remarks by Assemblyman Craddock.
Roll call on Assembly Bill No. 567:
YEAS—38.
NAYS—Beyer, Brady, Ham, Malone—4.
Assembly Bill No. 567 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 220.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Senate Bill No. 220:
YEAS—37.
NAYS—Bilyeu, Chaney, Collins, Kerns, Stone—5.
Senate Bill No. 220 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 303.
Bill read third time.
Remarks by Assemblyman DuBois.
Roll call on Senate Bill No. 303:
YEAS—42.
NAYS—None.
Senate Bill No. 303 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 350.
Bill read third time.
Remarks by Assemblyman Banner.
Roll call on Senate Bill No. 350:
YEAS—42.
NAYS—None.
Senate Bill No. 350 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Francis moved that the vote whereby Senate amendment No. 852 to Assembly Bill No. 129 was concurred in be rescinded.
Remarks by Assemblymen Francis, Banner and Jeffrey.
Motion carried.
Assemblyman Francis moved that the Assembly do not concur in Senate amendment No. 852 to Assembly Bill No. 129.

Motion carried.
Bill ordered transmitted to the Senate.

GENERAL FILE AND THIRD READING

Senate Bill No. 383.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Senate Bill No. 383:

YEAS—42.
NAYS—None.

Senate Bill No. 383 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 396.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Senate Bill No. 396:

YEAS—42.
NAYS—None.

Senate Bill No. 396 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 407.
Bill read third time.
Remarks by Assemblymen Getto and Thomas.
Roll call on Senate Bill No. 407:

YEAS—42.
NAYS—None.

Senate Bill No. 407 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.
Motion carried.
Assembly in recess at 3:56 p.m.

ASSEMBLY IN SESSION

At 4:01 p.m.
Mr. Speaker presiding.
Quorum present.

UNFINISHED BUSINESS

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that the vote whereby Senate amendment No. 881 to Assembly Bill No. 307 was concurred in be rescinded.

Remarks by Assemblyman Bergevin.

Motion carried.

Assemblyman Bergevin moved that the Assembly do not concur in Senate amendment No. 881 to Assembly Bill No. 307.

Motion carried.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 19, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 197, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 166, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 12, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 343.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bills Nos. 19, 166 and 197 be taken from the Second Reading File and placed on the Second Reading File for the next legislative day.

Motion carried.

Assemblyman Jeffrey moved that Assembly Bills Nos. 155, 577; Senate Bills Nos. 176, 259, 346, 354, 381, 385, 387, 403, 413, 437; Senate Joint Resolutions Nos. 21, 22 and 23 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 343.

Assemblyman Jeffrey 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 Bills Nos. 2, 5, 95, 174, 175, 176, 197, 305, 318, 399, 472, 542, 551, 583; Senate Bills Nos. 105, 110, 117, 132, 145, 163, 182, 189, 199, 240, 262, 295, 305, 314, 315, 319, 335, 369, 379, 386, 398, 400, 411; Senate Joint Resolution No. 14; Assembly Concurrent Resolution No. 46.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Kovacs, the privilege of the floor of the Assembly Chamber for this day was extended to Sister Barbara, Mr. Darle Smith and students from our Lady of Las Vegas School, Las Vegas, Nevada: Feller Aki, Bridgette Blue, Mimi Cummins, Chris Doughty, Sharon Faustina, Wendy Hanlon, Jenni Kolesar, Molly O'Reilly, Shannon Saruer, Ralph Tryon, Lisa Verderamo, Therese Smith and Tymothe Smith.

Assemblyman Stewart moved that the Assembly adjourn until Friday, May 13, 1983, at 10:45 a.m.

Motion carried.

Assembly adjourned at 4:07 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND SEVENTEENTH DAY

CARSON CITY (Friday), May 13, 1983

Assembly called to order at 10:53 a.m.
Mr. Speaker pro Tempore presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Terry W. Arnold.

Father, we thank you for this day that you have given us. We thank you for the opportunities of this day. We thank you for these that have gathered together to enact our laws, and we ask you that as time and patience grow short, that our sense of humor would grow long and that we would be able to conduct our business in a steadfast and appropriate manner. Thank you for this day, for it is in your name that we pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Brady 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill No. 428, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Senate Bill No. 380, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 631, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 367, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Transportation.

BOB COFFIN, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 12, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate appointed Senators Wilson, Bilbray and Ryan as a first Committee on Conference concerning Senate Bill No. 65.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Senate Bill No. 380 be placed on the General File.

Motion carried.

Assemblyman Dini moved that Assembly Bill No. 320 be returned from enrollment.

Remarks by Assemblyman Dini.

Motion carried.

Assemblyman Dini moved that the vote whereby Assembly Bill No. 320 was passed be rescinded.

Motion carried.

Assemblyman Dini moved that Assembly Bill No. 404 be returned from enrollment.

Remarks by Assemblyman Dini.

Motion carried.

Assemblyman Dini moved that the vote whereby Assembly Bill No. 404 was passed be rescinded.

Motion carried.

Assemblyman Dini moved that Assembly Bill No. 418 be returned from enrollment.

Motion carried.

Assemblyman Dini moved that the vote whereby Assembly Bill No. 418 was passed be rescinded.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 435, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 258, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 301, 373, 415; Senate Joint Resolution No. 13, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:01 a.m.

ASSEMBLY IN SESSION

At 11:10 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 320, 404, 418 and 631 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

Assemblyman Dini moved that Senate Bill No. 298 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Dini.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 19.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 938.

Amend section 1, page 1, line 9, by deleting "30" and inserting "[30] *10*".

Amend section 1, page 2, by deleting lines 3 and 4 and inserting: "trial by [such] *the* prevailing party [.] *and*".

Amend section 1, page 2, by deleting lines 12 through 15.

Amend section 1, page 2, line 16, by deleting "*7.*" and inserting "*6.*".

Amend the title of the bill, first line, by deleting "interest and".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 166.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 941.

Amend sec. 4, page 3, line 23, before ", at" by deleting open bracket.

Amend sec. 4, page 3, line 24, after "applicant," by deleting closed bracket.

Amend sec. 12, page 11, by deleting lines 29 and 30 and inserting: "of this state. The provisions of NRS 689B.030 to 689B.050, inclusive, and section 2 of [this act] *Senate Bill No. 61 of this session,* apply to coverage provided pursuant to this subsection.".

Amend the bill as a whole by adding a new section designated section 12.5, following section 12, to read as follows:

"Sec. 12.5. Chapter 608 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. If an employer provides health benefits for his employees, he shall provide benefits for the expenses for the treatment of alcohol and drug abuse. The annual benefits provided by the employer must consist of:

(a) Treatment for withdrawal from the physiological effects of alcohol or drugs for no more than 7 days per calendar year.

(b) Inpatient treatment with a maximum benefit of $10,000 per calendar year.

(c) Outpatient treatment for individual, group and family counseling with a maximun benefit of $1,500 per calendar year.

2. The employee is entitled to three courses of each type of treatment described in subsection 1 during his lifetime.

3. These benefits must be paid in the same manner as benefits for any other illness covered by the employer are paid.

4. The employee is entitled to these benefits if treatment is received in:

(a) Any facility for treatment of abuse of alcohol or drugs which is certified by the bureau of alcohol and drug abuse in the rehabilitation division of the department of human resources.

(b) Any hospital or other health and care facility which is licensed by the health division of the department of human resources, accredited by the Joint Commission on Accreditation of Hospitals and provides a program for the treatment of alcoholism or drug abuse as part of its accredited activities.".

Amend the bill as a whole by adding a new section designated as section 15, following section 14, to read as follows:

"Sec. 15. Section 12 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Amend the title of the bill by deleting the first and second lines and inserting:

"An Act relating to insurance; requiring coverage for treatment of abuse of alcohol or drugs in certain policies; requiring employers who provide health benefits for their employees to provide similar coverage; creating an advisory committee; and providing".

Amend the summary of the bill by deleting the first line, and inserting: "Requires certain policies of insurance to provide coverage for treatment of alcoholism".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 197.

Bill read second time.

The following amendment was proposed by Assemblyman Jeffrey:

Amendment No. 934.

Amend section 1, page 1, line 15, by deleting "*$50,000.*" and inserting: "*$20,000. Each separate unit which is a part of a project is included in the cost of the project for the purpose of determining whether a project meets this threshold.*".

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 367.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 864.

Amend the bill as a whole by deleting sections 1 through 3 and inserting:

"Section. 1. NRS 366.200 is hereby amended to read as follows:

366.200 1. The sale or use of special fuel for any purpose other than to propel a motor vehicle upon the public highways of Nevada [shall be] *is* exempt from the application of the tax imposed by NRS 366.190. The exemption provided in this subsection [shall apply] *applies* only in those cases where the purchasers or the users of special fuel [shall] establish to the satisfaction of the department that the special fuel purchased or used was used for purposes other than to propel a motor vehicle upon the public highways of Nevada.

2. Sales made to the United States Government or any instrumentality thereof [shall be] *are* exempt from the tax imposed by this chapter.

3. Sales made to any state, county, municipality, district or other political subdivision thereof [shall be] *are* exempt from the tax imposed by this chapter.

4. Sales made to any person to be used to propel a bus which is a part of a system which:

(a) Operates buses on regular routes and fixed schedules in an urban area;

(b) Transports persons who pay the established fare; and

(c) Uses public money to operate the system or acquire new equipment,

are exempted from the tax imposed by this chapter.".

Amend the bill as a whole by renumbering section 4 as section 2.

Amend sec. 4, page 2, by deleting lines 38 and 39 and inserting: "sons, or to the emergency vehicles owned by any volun-".

Amend sec. 4, page 2, line 44, by deleting "Vehicles" and inserting: "[Vehicles] *Except as otherwise provided in subsection 4, vehicles*".

Amend sec. 4, page 3, after line 5 by inserting:

"*4. Vehicles which are used by a private person, in connection with a system of buses which:*

(a) Operates on regular routes and fixed schedules in an urban area;

(b) Transports persons who pay the established fare; and

(c) Uses public money to operate the system or acquire new equipment,

are exempted from the privilege tax imposed by this chapter.''.

Amend the title of the bill, second line, after ''from'' by inserting ''special''.

Assemblyman Coffin moved the adoption of the amendment.

Remarks by Assemblyman Coffin.

Amendment adopted.

Assemblyman Coffin moved that Assembly Bill No. 367 be re-referred to the Committee on Transportation.

Motion carried.

Bill ordered reprinted and engrossed.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 570 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman May.

Motion carried.

Assemblyman Jeffrey moved that Senate Joint Resolution No. 13 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 375.

The following Senate amendment was read:

Amendment No. 843.

Amend sec. 2, page 4, by deleting lines 36 and 37 and inserting:

''685A.180 1. On or before March 1 of each year each broker shall pay to the''.

Amend sec. 2, page 5, by deleting lines 11 through 13.

Amend the title of the bill by deleting the fourth line.

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 375.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

Assemblyman Vergiels moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:20 a.m.

ASSEMBLY IN SESSION

At 11:36 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 293, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Economic Development, Tourism and Mining, to which was referred Assembly Bill No. 508, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT E. PRICE, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 44, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were re-referred Senate Bill No. 359; Senate Joint Resolution No. 15, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 475, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 122, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 341, 391, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Economic Development, Tourism and Mining, to which was referred Assembly Bill No. 635, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT E. PRICE, *Chairman*

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Bill No. 619, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 232, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bilyeu moved that Senate Bill No. 93 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bilyeu.

Motion carried.

By Assemblymen Nevin, Sedway and Marvel:

Assembly Concurrent Resolution No. 51—Recommending that the public service commission of Nevada review the maximum rates of return set for certain utilities to determine whether lower maximums would be feasible.

Assemblyman Nevin moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Getto, Bilyeu and Dini:

Assembly Bill No. 665—An Act relating to public works; revising the procedure for determining prevailing wages to be paid; and providing other matters properly relating thereto.

Assemblyman Getto moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 570.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 970.

Amend section 1, page 2, line 27, after "*power;*" by inserting "*and*".

Amend section 1, page 2, by deleting lines 28 through 31.

Amend section 1, page 2, line 32, by deleting "*(g)*" and inserting "*(f)*".

Amend section 1, page 2, line 35, by deleting "*facilities; and*" and inserting "*facilities.*".

Amend section 1, page 2, by deleting lines 36 through 39.

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. Section 2.280 of Article II of the above-entitled act, being chapter 573, Statutes of Nevada 1971, as amended by chapter 723, Statutes of Nevada 1973, at page 1440, is hereby amended to read as follows:

Sec. 2.280 Powers of city council: Provision of utilities. *1.* The city council may:

[1.] *(a)* Provide, by contract, franchise and public enterprise, for any utility to be furnished to the city for residents located either within or without the city.

[2.] *(b)* Provide for the construction and maintenance of any facilities necessary for the provision of all such utilities.

[3.] *(c)* Prescribe, revise and collect rates, fees, tolls and charges for the services, facilities or commodities furnished by any municipally-operated or municipally-owned utility or undertaking [, and notwithstanding] . *Notwithstanding* any provision of this charter to the contrary or in conflict herewith, no rates, fees, tolls or charges for the services, facilities or commodities furnished by any municipally-operated or municipally-owned utility or undertaking [shall] *may* be prescribed, revised, amended or altered, increased or decreased, without [the procedure as set forth in this subsection] *this procedure* first being followed [.] :

[(a)] *(1)* There [shall] *must* be filed with the city clerk schedules of rates, fees, tolls or charges which [shall] *must* be open to public inspection, showing all rates, fees, tolls or charges which the city has established and which are in force at the time for any service performed or product furnished in connection therewith by any utility controlled and operated by the city.

[(b)] *(2)* No changes [shall] *may* be made in any schedule so filed with the city clerk except upon 30 days' notice to the inhabitants of the city and a public hearing held thereon. Notice of such *a* proposed change or changes [shall] *must* be given by at least two publications in a newspaper published in the city during the 30-day period [prior to] *before* the hearing thereon.

[(c)] *(3)* At the time set for the hearing on the proposed change, any person may appear and be heard and offer any evidence in support of or against the proposed change.

[(d)] *(4)* Every utility operated by the city shall furnish reasonably adequate service and facilities, and the charges made for any service rendered or to be rendered, or for any service in connection therewith or incidental thereto, [shall] *must* be just and reasonable.

[4.] *(d) Provide, by ordinance, for an additional charge to each household within the city for the provision of utilities of up to 25 cents per month. If such a charge is provided for, the city council shall, by ordinance, provide for the expenditure of that money for any purpose relating to the beautification of the city.*

2. Any charges due for services, facilities or commodities furnished by the city or by any utility operated by the city under this section is a lien upon the property which the service is rendered and [shall] *must* be perfected by filing with the county recorder of Clark county of a statement by the city clerk stating the amount due and unpaid and describing the property subject to the lien. Each such lien [shall:] *must:*

(a) Be coequal with the latest lien thereon to secure the payment of general taxes.

(b) Not be subject to extinguishment by the sale of any property on account of the nonpayment of general taxes.

(c) Be prior and superior to all liens, claims, encumbrances and titles other than the liens of assessments and general taxes.''.

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 320.
Bill read third time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 959.
Amend sec. 3, page 3, by inserting after line 15:
"5. The board of fire safety shall establish criteria for determining whether to waive the times prescribed in this section because of financial hardship. A waiver which is allowed because of financial hardship must require compliance within 2 years after the time prescribed in this section. The applicant shall submit a schedule for such compliance. The board may amend the schedule.
6. The board of fire safety shall issue its decision regarding a request for such a waiver within 30 days after the hearing on the application.".
Amend the bill as a whole by adding a new section designated section 4, following section 3, to read as follows:
"Sec. 4. Section 3 of this act shall become effective at 12:01 a.m. on July 1, 1983.".
Assemblyman Kerns moved the adoption of the amendment.
Remarks by Assemblyman Kerns.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 404.
Bill read third time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 966.
Amend sec. 2, page 2, by deleting lines 10 through 12 and inserting: "bond refunded be increased to any rate exceeding the limit provided in NRS 349.076;".
Amend sec. 5, page 3, by deleting line 36 and inserting: "percent the Index of Revenue Bonds which was most recently".
Assemblyman Dini moved the adoption of the amendment.
Remarks by Assemblyman Dini.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 418.
Bill read third time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 968.
Amend section 1, page 1, by deleting lines 14 through 16 and

inserting: "refunded be increased to any rate exceeding the limit provided in NRS 349.076; but any".

Amend sec. 2, page 2, by deleting lines 29 through 31 and inserting: "exceeds the limit provided in NRS 350.2011.".

Amend sec. 3, page 3, by deleting line 20 and inserting: "the Index of Revenue Bonds which was most recently".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Assembly Bills Nos. 44 and 232 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING.

Assembly Bill No. 44.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 962.

Amend sec. 3, page 2, by deleting line 23 and inserting: "*received, up to the amount authorized by the legislature:*".

Amend sec. 3, page 2, by inserting between lines 32 and 33: "*Any amounts received in excess of the amounts authorized for expenditure must be deposited to the credit of the state general fund.*".

Assemblyman Bremner moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 232.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 983.

Amend the bill as a whole by renumbering sections 1 through 4 as sections 2 through 5 and adding a new section, designated section 1, preceding section 1, to read as follows:

"Section 1. Chapter 361 of NRS is hereby amended by adding thereto a new section which shall read as follows:

The actual age of each improvement made on a parcel of land must be adjusted, for the purpose of computing depreciation, when any replacement or addition is made whose cost, added to the cost of any prior replacements or additions, is at least 10 percent of the cost of replacement of the improvement after the work is done. For the purposes of this section, "replacement" does not include changing or adding finish or covering to floors or walls, changing or adding small appliances, or other normal maintenance of the improvement in a good

condition. The amount of the reduction must be the product of the prior actual age multiplied by the ratio of the cost of the replacement or addition to the cost of replacement of the improvement after the work is done.''.

Amend section 1, page 2, by inserting between lines 13 and 14:

''*A county assessor is required to make the reduction prescribed in this subsection only if the owner calls to his attention the facts warranting it but may make it if he is otherwise aware of those facts.*''.

Amend section 1, page 2, lines 14 and 15, by deleting all brackets and italicized words.

Amend section 1, page 2, by deleting lines 17 through 25 and inserting:

''(b) Schedules of depreciation [based on the estimated life of each kind of] *for personal* property [.] *based on its estimated life.* Depreciation *of an improvement made on real property* must be [determined according to the] *calculated at 1.5 percent of the cost of replacement for each year of adjusted* actual age of the [improvements or other depreciable property.

The standards and schedules must be approved by the interim legislative committee on local governmental finance before they are used. Each county assessor shall adhere strictly to these standards and schedules.] *improvement, up to a maximum of 50 years.*''.

Amend sec. 2, page 3, line 11, by inserting after the period: ''These factors must be so chosen that the ratio of the assessed value to the taxable value of each individual property is not less than 30 percent nor more than 35 percent.''.

Amend sec. 3, page 3, by deleting lines 21 through 23 and inserting: ''puted for the property, the board shall [adjust the factors applied to the property pursuant to NRS 361.227, particularly the rate of depreciation,] *fix a percentage of obsolescence to be deducted each year from the otherwise computed taxable value,* to make the taxable value of the property correspond as closely''.

Amend sec. 4, page 3, line 30, by deleting the period and inserting: '', for the purpose of appraising real property for taxes to be collected during the fiscal year 1984-1985.''.

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Assemblyman Price moved that Assembly Bill No. 232 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted and re-engrossed.

SECOND READING AND AMENDMENT

Senate Bill No. 258.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 937.

Amend section 1, page 1, by deleting line 2 and inserting "171.124 1. A".

Amend section 1, page 2, by deleting lines 8 through 12 and inserting:

"*3. A peace officer may make an arrest as provided in this section anywhere within the boundaries of this state.*".

Amend the title of the bill, first and second lines, by deleting: "outside their respective jurisdictions under certain circumstances;" and inserting: "anywhere within the boundaries of the state;".

Amend the summary, first line, by deleting "outside their jurisdiction." and inserting "anywhere in state.".

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 293.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 774.

Amend the bill as a whole by renumbering sections 1 and 2 as sections 3 and 4 and adding new sections designated sections 1 and 2, preceding section 1, to read as follows:

"Section 1. NRS 482.215 is hereby amended to read as follows:

482.215 1. All applications for registration, except applications for renewal *of* registration, must be made as provided in this section.

2. Applications for all registrations, except [renewal registrations,] *renewals of registration,* must be made in person, if practicable, to any office or agent of the department.

3. Each application must be made upon the appropriate form furnished by the department and contain:

(a) The signature of the owner.

(b) His residence address.

(c) His declaration of the county where he intends the vehicle to be based, unless the vehicle is deemed to have no base. The department shall use this declaration to determine the county to which the privilege tax is to be paid.

(d) A brief description of the vehicle to be registered, including the name of the maker, the engine, identification or serial number, whether new or used, and the last license number, if known, and the state in which issued, and upon the registration of a new vehicle, the date of sale by the manufacturer or franchised and licensed dealer in this state for the make to be registered to the person first purchasing or operating the vehicle.

(e) [A] *Proof satisfactory to the department that the applicant has provided the security required by NRS 485.185 covering the vehicle to be registered and his* signed declaration [by the applicant] that he [has and] will maintain [,] *the security* during the period of registration .

[, security as required by NRS 485.185 covering the motor vehicle to be registered.]

(f) If *the* security is provided by a contract of insurance, the insurer shall provide evidence of that insurance on a form approved by the commissioner of insurance, which identifies the vehicle and indicates, at the time of application for registration, coverage which meets the requirements of NRS 485.185. The department may file that evidence, return it to the applicant or otherwise dispose of it.

(g) If required, evidence of [emission control compliance.] *the applicant's compliance with controls of emission.*

4. The application must contain such other information as may be required by the department, and must be accompanied by proof of ownership satisfactory to the department.

5. For purposes of the *proof,* declaration *and evidence* required by paragraphs (e) and (f) of subsection 3:

(a) Vehicles which are subject to the license fee and registration requirements of the Interstate Highway User Fee Apportionment Act, and which are based in this state, may be declared as a fleet by the registered owner thereof, on [the original or renewal applications for] *his original application for or application for renewal of a* proportional registration. The owner may file a single certificate of insurance covering that fleet.

(b) Other fleets composed of ten or more vehicles based in this state or vehicles insured under a blanket policy which does not identify individual vehicles may each be declared as a fleet by the registered owner thereof annually for the purposes of [original or renewal] *an* application for *his original or any renewed* registration. The owner may file a single certificate of insurance covering that fleet.

(c) A person who has qualified as a self-insurer pursuant to NRS 485.380 may file a copy of his certificate of self-insurance.

Sec. 2. NRS 482.480 is hereby amended to read as follows:

482.480 There must be paid to the department for the registration or transfer *or reinstatement* of registration of motor vehicles, trailers and semitrailers, fees according to the following schedule:

1. For each stock passenger car and each reconstructed or specially constructed passenger car, regardless of weight or number of passenger capacity, a registration fee of $12.

2. For every motorcycle, a registration fee of $12.

3. For every bus or motortruck having an unladened weight of 3,500 pounds or less, as shown by a public weighmaster's certificate, a registration fee of $12.

4. For every trailer or semitrailer having an unladened weight of 1,000 pounds or less, a flat registration fee of $6. For every trailer having an unladened weight of more than 1,000 pounds, but not more than 3,500 pounds, a flat registration fee of $9. For every trailer or semitrailer having an unladened weight of more than 3,500 pounds and less than 4,000 pounds, fees according to the following schedule:

3,501 to and including 3,549 pounds	$12
3,550 to and including 3,649 pounds	14

3,650 to and including 3,749 pounds	$16
3,750 to and including 3,849 pounds	18
3,850 to and including 3,949 pounds	20
3,950 to and including 3,999 pounds	22

5. For every bus or motortruck having an unladened weight of more than 3,500 pounds and less than 5,000 pounds, fees according to the following schedule:

3,501 to and including 3,549 pounds	$14
3,550 to and including 3,649 pounds	16
3,650 to and including 3,749 pounds	18
3,750 to and including 3,849 pounds	20
3,850 to and including 3,949 pounds	22
3,950 to and including 3,999 pounds	24
4,000 to and including 4,999 pounds	27

6. For every trailer or semitrailer having an unladened weight of 4,000 pounds or more, except mobile homes, and for every bus or motortruck having an unladened weight of 5,000 pounds or more, 60 cents per 100 pounds, or major fraction thereof, of unladened weight as shown by a public weighmaster's certificate. At the time of weighing, each vehicle must have in place each accessory and appliance belonging to and used on the vehicle in the transportation of property. Whenever a camper is attached to a motortruck, the camper shall be considered as a load and the fees imposed by this section upon the motortruck must be based on the unladened weight of the motortruck, exclusive of the camper.

7. Except as provided in subsection 8, for each transfer of registration the fee is $5.

8. The fee for transfer of a registration to any motor vehicle enumerated in subsection 6 is $5 plus the excess, if any, of the fee which would have been payable for an original registration of the vehicle over the fee paid for registration of the vehicle from which the registration is transferred.

9. For every motor vehicle there is an additional fee of $4 for each registration, which must be accounted for in the highway patrol special fund which is hereby created as a special revenue fund and must be used only for the purposes specified in NRS 481.145.

10. *To reinstate the registration of a motor vehicle suspended pursuant to NRS 485.383 the fee is $50, which must be accounted for in the fund for verification of insurance which is hereby created as a special revenue fund and must be used only for the purposes specified in NRS 485.383.*

11. For every travel trailer, the registration fee is $12.

[11.]

A vehicle which is properly registered under this section is exempt from the provisions of NRS 706.506, 706.516, 706.521 and 706.526.''.

Amend section 1, page 1, line 3, by deleting ''more'' and inserting ''[more] *less*''.

Amend section 1, page 1, line 9, by deleting "department," and inserting "department [,".

Amend section 1, page 1, by deleting line 10 and inserting: for the vehicle,] and return the form *and evidence of the insurance* within 15 days.".

Amend sec. 2, page 2, line 28, by deleting: "Sections 3 and 5" and inserting "Section 3".

Amend the bill as a whole by adding new sections designated sections 5 and 6, following section 2, to read as follows:

"Sec. 5. Section 5 of chapter 697, Statutes of Nevada 1981, at page 1695, is hereby repealed.

Sec. 6. Section 1 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Amend the title of the bill, first line, after "insurance;" by inserting: "requiring an applicant for original registration to furnish proof of having the required insurance or other security; providing a fee for the reinstatement of certain registrations and providing specifically for its use;".

Assemblyman Coffin moved the adoption of the amendment.

Remarks by Assemblyman Coffin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 475.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 979.

Amend section 1, page 1, line 3, by deleting "*The*" and inserting: "*1. The state engineer shall, upon written request and receipt of a written agreement between the affected property owners, waive the*".

Amend section 1, page 1, line 4, by deleting: "*do not apply to a well*".

Amend section 1, page 1, line 6, by deleting "*1. It*" and inserting "*(a) The well*".

Amend section 1, page 1, line 7, by deleting "2." and inserting "*(b)*".

Amend section 1, page 1, by deleting line 9 and inserting: "*(c) Each of those dwellings does not draw more than 1,800 gallons*".

Amend section 1, page 1, after line 10, by inserting: "2. *The state engineer may require an owner who has been granted such a waiver to apply for a permit if one or more of the wells is drawing more than 1,800 gallons of water in a day.*".

Amend the title of the bill, first line, by deleting "limiting the application" and inserting: "requiring the state engineer to grant certain requests for waiver".

Amend the summary of the bill, first line, by deleting "Limits application" and inserting: "Requires state engineer to grant waiver".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblyman Getto.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 508.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Tourism and Mining:

Amendment No. 967.

Amend sec. 11, page 2, by deleting lines 36 and 37.

Amend sec. 11, page 2, line 38, by deleting "3." and inserting "2.".

Amend sec. 11, page 2, line 39, by deleting "4." and inserting "3.".

Amend sec. 11, page 2, line 41, by deleting "5." and inserting "4.".

Amend sec. 13, page 3, line 43, after "reduction" by inserting ", deferral".

Amend sec. 13, page 4, line 13, by deleting "A transcript" and inserting: "A recording or the minutes".

Amend sec. 20, page 7, by deleting line 34 and inserting: "department of economic development to serve as".

Amend sec. 25, page 10, line 21, by deleting "shall:" and inserting "may:".

Amend the bill as a whole by deleting section 29 and inserting:

"Sec. 29. (Deleted by amendment.)".

Amend sec. 31, page 15, line 11, by deleting "with" and inserting "within".

Amend the bill as a whole by deleting section 41 and inserting:

"Sec. 41. "Mailed notice" or "notice by mail" means any written or printed notice sent by prepaid, first class mail, at the direction of the governing body, to the last known address of each owner of each tract in a tax increment area, or to any other person designated by the owner at his last known address, at least 20 days before the designated hearing or other time or event.".

Amend the bill as a whole by deleting section 67 by inserting:

"Sec. 67. (Deleted by amendment.)".

Amend the title of the bill by deleting lines 10 and 11 and inserting: "conduct business; and providing other matters properly".

Assemblyman Swain moved the adoption of the amendment.

Remarks by Assemblyman Swain.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 619.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 980.

Amend section 1, page 1, by deleting lines 10 through 16.

Amend section 1, page 1, line 17, by deleting "*(c)*" and inserting "*(b)*".

Amend section 1, page 2, by deleting line 3 and inserting:

"*(c) Provide for transfer of the completed affidavits*".

Amend section 1, page 2, by deleting lines 7 through 8 and inserting:

"*3. The county clerk or registrar of voters shall provide each special deputy registrar of voters with affidavits of registration.*".

Amend sec. 2, page 2, line 10, by deleting "*1.*".

Amend sec. 2, page 2, by deleting lines 17 through 21.

Amend the bill as a whole by deleting sections 4 and 5 and renumbering sections 6 through 8 as sections 4 through 6.

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Assemblyman Sader moved that Assembly Bill No. 619 be placed on the Chief Clerk's desk.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 635.

Bill read second time.

The following amendment was proposed by the Committee on Economic Development, Tourism and Mining:

Amendment No. 952.

Amend sec. 9, page 2, by deleting line 13 and inserting "necessary.".

Amend sec. 18, page 6, by deleting lines 17 through 20.

Amend sec. 18, page 6, line 21, by deleting "6." and inserting "5.".

Amend sec. 21, page 7, line 30, after "capital" by deleting "stock".

Amend sec. 21, page 7, line 38, by deleting "and subsection 4," and inserting a comma.

Amend sec. 21, pages 7 and 8, by deleting line 43 on page 7 and lines 1 through 4 on page 8.

Amend sec. 21, page 8, line 5, by deleting "5." and inserting "4.".

Amend sec. 34, pages 10 through 12, by deleting lines 38 through 44 on page 10, lines 1 through 43 on page 11 and lines 1 through 18 on page 12 and inserting: "673.276 An association may invest in:

1. Without limit, obligations of, or obligations guaranteed as to principal and interest by, the United States or any state.

2. Obligations of the United States Postal Service, whether or not guaranteed as to principal and interest by the United States.

3. Stock of a federal home-loan bank of which the association is eligible to be a member.

4. Any obligations or consolidated obligations of any federal home-loan bank or banks.

5. Stock or obligations of the Federal Savings and Loan Insurance Corporation.

6. Stock or obligations of a national mortgage association or any successor or successors thereto, including the Federal National Mortgage Association.

7. Demand, time or savings deposits with any bank or trust company whose deposits are insured by the Federal Deposit Insurance Corporation.

8. Stock or obligations of any corporation or agency of the United States or any state, or in deposits therewith to the extent that such a corporation or agency assists in furthering or facilitating the association's purposes or powers.

9. Savings accounts of any insured association licensed by the state and of any federal savings and loan association, but each investment in any other savings and loan association must be fully insured by the Federal Savings and Loan Insurance Corporation.

10. Bonds, notes or other evidences of indebtedness which are general obligations of any city, town, county, school district or other municipal corporation or political subdivision of any state.

11. [Shares] *Capital stock* and other securities of [a] *:*

(a) A state development corporation organized under the provisions of chapter 670 of NRS.

(b) A corporation for economic revitalization and diversification organized under the provisions of sections 2 to 31, inclusive, of this act, if the association is a member of the corporation, and to the extent of its loan limit established under section 21 of this act.

12. Any other investment at the discretion of the association's directors, if after the investment is made, the association's accounts remain insurable by the Federal Savings and Loan Insurance Corporation.''.

Amend the bill as a whole by adding a new section, designated section 37, following section 36, to read as follows:

''Sec. 37. Section 34 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 122.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 935.

Amend sec. 2, page 1, line 8, by deleting ''*bank;*'' and inserting: ''*bank licensed by the superintendent*''.

Amend sec. 3, page 2, between lines 20 and 21 by inserting:

''*4. A bank holding company which is domiciled outside of Nevada and which does not control a bank licensed by the superintendent is*

not under the jurisdiction of this state until it applies for approval to acquire control of such a bank. A bank holding company which is domiciled outside of Nevada must receive the approval of the superintendent before acquiring control of a bank licensed by the superintendent.''.

Amend sec. 8, page 4, by deleting lines 3 through 6.

Amend the bill as a whole by adding a new section, designated section 13.5, following section 13, to read as follows:

''Sec. 13.5 *1. The superintendent may apply to the district court for an order compelling compliance with any provision of sections 2 to 13, inclusive, of this act. The court may award the superintendent the costs of bringing the action and attorney's fees.*

2. The superintendent may bring an action against a person who violates a court order or injunction issued pursuant to this section or sections 2 to 13, inclusive, of this act to recover a civil penalty of not more than $10,000 for each violation.''.

Amend sec. 14, page 5, lines 25 and 26 by deleting: ''*sections 2 to 13, inclusive,*'' and inserting ''*section 8*''.

Amend section 14, page 5, line 28, after the period by inserting: ''*Any person who willfully violates any provision of sections 2 to 7, inclusive, and 9 to 13.5, inclusive, of this act is guilty of a gross misdemeanor.*''.

Amend the title of the bill, fifth line, by deleting ''a penalty;'' and inserting ''penalties;''.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Senate Bill No. 339 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman Stewart.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 339.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 973.

Amend section 1, pages 1 and 2, by deleting lines 3 through 18 on page 1 and pages 1 through 14 on page 2 and inserting:

''90.055 ''Investment adviser'' means any person who engages in the business of advising others, either directly or through publications or writings, as to the value of securities or as to the advisability of investing in, purchasing or selling securities, or who as part of a regular advisory business issues or promulgates analyses or reports concerning securities, but the term ''investment adviser'' does not include:

1. A bank or trust company, or the regular employees of a bank or trust company;

2. Any lawyer, accountant, engineer, geologist or teacher whose performance of such services is incidental to the practice of his profession;

3. Any registered broker-dealer or bullion dealer or an issuer, or partner, officer, director or regular employee thereof, or any registered agent or transfer agent;

4. Any publisher or regular employee of the publisher of a bona fide newspaper, news magazine or business or financial publication of general circulation;

5. Any person whose advice, analyses or reports relate only to securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States, any state or any political subdivision of any state, or any public agency or public instrumentality thereof; [or]

6. *A person who during the preceding 12 months has had fewer than 15 clients and who neither holds himself out to the public as an investment adviser nor acts as an investment adviser to any investment company registered under Title 1 of the Investment Company Act of 1940 (15 U.S.C. §§ 80a-1 to 80a-64, inclusive); and*

7. Such other persons as the administrator may designate by regulation.''.

Amend sec. 2, page 2, by deleting lines 18 through 21 and inserting:

''in a security for value made [solely] within this state *:* [to 35]

1. To 150 persons or more *:* [by]

(a) By means of any news media, including but not limited to newspapers, magazines, radio and television *;* [, or through]

(b) Through the use of the United States mails *;* [, or by]

(c) By direct solicitation [, except] *; or*

2. To any person if the security or interest in the security has been sold to 34 or more persons,

except such offerings as''.

Amend sec. 3, pages 2 and 3, by deleting lines 26 through 43 on page 2 and lines 1 through 39 on page 3 and inserting:

''90.200 1. Any person who offers or sells a security by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, and who does not sustain the burden of proof that he did not know, and in the exercise of reasonable care could not have known, of the untruth or omission, is liable to the person buying the security from him if the buyer did not know of the untruth or omission. The buyer may sue either at law or in equity to recover the consideration paid for the security with interest at a rate of [6] *10* percent per year from the date of payment, costs, and reasonable attorneys' fees, less the amount of any income received on the security, upon the tender of the security and any income received on it, or for damages if he no longer owns the security. Damages are the amount that would be recoverable

upon a tender less the value of the security when the buyer disposed of it and interest at [6] *10* percent per year from the date of disposition.

2. A person who directly or indirectly controls a seller liable under subsection 1, a partner, officer, or director of such a seller, a person occupying a similar status or performing similar functions, an employee of such a seller who materially aids in the sale, and a broker or dealer or employee of a broker or dealer who materially aids in the sale is also liable jointly and severally with and to the same extent as the seller, unless he sustains the burden of proof that he did not know, and in exercise of reasonable care could not have known, of the existence of the facts by reason of which the liability is alleged to exist. There is contribution as in cases of contract among the several persons so liable.

3. Any tender specified in this section may be made at any time before entry of judgment.

4. Every cause of action under this chapter survives the death of any person who might have been a plaintiff or defendant.

5. No person may sue under this section more than 2 years after the contract of sale. No person may sue under this section:

(a) If he received a written offer, before suit and at a time when he owned the security, to refund the consideration paid together with interest at [6] *10* percent per year from the date of payment, less the amount of any income received on the security, and he failed to accept the offer within 30 days of its receipt; or

(b) If he received such an offer before suit and at a time when he did not own the security, unless he rejected the offer in writing within 30 days of its receipt.

6. No person who has made or engaged in the performance of any contract in violation of any provision of this chapter, or who has acquired any purported right under any such contract with knowledge of the facts by reason of which its making or performance was in violation, may base any suit on the contract.

7. Any condition, stipulation or provision binding any person acquiring any security to waive compliance with any provision of this chapter is void.

8. The rights and remedies provided by this chapter are in addition to any other rights or remedies that may exist at law or in equity, but this chapter does not create any cause of action not specified in this section.''.

Amend the bill as a whole by adding a new section designated section 5, following section 4, to read as follows:

''Sec. 5. Sections 1 and 3 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 631.

Bill read third time.

Remarks by Assemblyman Bourne.
Roll call on Assembly Bill No. 631:
YEAS—42.
NAYS—None.

Assembly Bill No. 631 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 155.
Bill read third time.
Remarks by Assemblymen Redelsperger and Bourne.
Roll call on Assembly Bill No. 155:
YEAS—40.
NAYS—Bremner, Marvel—2.

Assembly Bill No. 155 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 577.
Bill read third time.
Remarks by Assemblyman Malone.
Roll call on Assembly Bill No. 577:
YEAS—42.
NAYS—None.

Assembly Bill No. 577 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 535.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Assembly Bill No. 535:
YEAS—42.
NAYS—None.

Assembly Bill No. 535 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 536.
Bill read third time.
Remarks by Assemblyman Fay.
Roll call on Assembly Bill No. 536:
YEAS—42.
NAYS—None.

Assembly Bill No. 536 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 176.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Senate Bill No. 176:
YEAS—42.
NAYS—None.

Senate Bill No. 176 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 259.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Senate Bill No. 259:
YEAS—40.
NAYS—Nicholas, Thomas—2.

Senate Bill No. 259 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 346.
Bill read third time.
Remarks by Assemblyman Getto.
Roll call on Senate Bill No. 346:
YEAS—42.
NAYS—None.

Senate Bill No. 346 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 354.
Bill read third time.
Remarks by Assemblyman Perry.
Roll call on Senate Bill No. 354:
YEAS—42.
NAYS—None.

Senate Bill No. 354 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 381.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 381:
YEAS—42.
NAYS—None.

Senate Bill No. 381 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 385.
Bill read third time.
Remarks by Assemblyman Swain.
Roll call on Senate Bill No. 385:
YEAS—42.
NAYS—None.

Senate Bill No. 385 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 387.
Bill read third time.
Remarks by Assemblyman Nevin.
Roll call on Senate Bill No. 387:
YEAS—42.
NAYS—None.

Senate Bill No. 387 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assemblyman Redelsperger moved that the Assembly recess subject to the call of the Chair.
Motion carried.

Assembly in recess at 12:16 p.m.

ASSEMBLY IN SESSION

At 12:20 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 131, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 13, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 461, 505, 527, 529, 530, 554, 571, 599, 611, 638.

MAE LOFTHOUSE
Assistant Secretary of the Senate

SECOND READING AND AMENDMENT

Senate Bill No. 131.
Bill read second time.
The following amendment was proposed by the Committee on Ways and Means:
Amendment No. 961.

Amend section 1, page 1, line 4, by inserting after "*required to*" the words "*purchase and*".

Amend section 1, page 2, by deleting line 1 and inserting: "*and for which he is required to purchase and wear a uniform is entitled to an initial reimbursement*".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 403.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Senate Bill No. 403:

YEAS—42.

NAYS—None.

Senate Bill No. 403 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 413.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 413:

YEAS—42.

NAYS—None.

Senate Bill No. 413 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 437.

Bill read third time.

Remarks by Assemblyman Berkley.

Roll call on Senate Bill No. 437:

YEAS—42.

NAYS—None.

Senate Bill No. 437 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 21.

Resolution read third time.

Remarks by Assemblymen Kovacs and Price.

Roll call on Senate Joint Resolution No. 21:

YEAS—42.

NAYS—None.

Senate Joint Resolution No. 21 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 22.

Resolution read third time.

Remarks by Assemblyman Kovacs.

Roll call on Senate Joint Resolution No. 22:

YEAS—42.

NAYS—None.

Senate Joint Resolution No. 22 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 23.

Resolution read third time.

Remarks by Assemblyman Swain.

Roll call on Senate Joint Resolution No. 23:

YEAS—42.

NAYS—None.

Senate Joint Resolution No. 23 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Senate Bill No. 278.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 278:

YEAS—41.

NAYS—Ham.

Senate Bill No. 278 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 380.

Bill read third time.

Remarks by Assemblyman DuBois.

Roll call on Senate Bill No. 380:

YEAS—42.

NAYS—None.

Senate Bill No. 380 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 301.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Senate Bill No. 301:

YEAS—42.

NAYS—None.

Senate Bill No. 301 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 191 be returned from enrollment.

Remarks by Assemblyman May.

Motion carried.

Assemblyman May moved that the vote whereby Assembly Bill No. 191 was passed be rescinded.

Motion carried.

Assemblyman May moved that Assembly Bill No. 191 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 191.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 999.

Amend sec. 25, page 7, by deleting lines 36 through 43 and inserting: "365.420 Except as provided in section 1 of [this act,] *chapter 206, Statutes of Nevada 1983,* all:

1. Applications for refund based upon exportation of motor vehicle fuel *or fuel for jet or turbine-powered aircraft* from this state must be filed with the department within 3 months from the date of exportation.

2. Other applications, together with the necessary supporting evidence, must be filed with the department within 6 months from the date of purchase.

3. Rights to refunds are forfeited if applications are not filed with the department within the times prescribed in this section.".

Amend sec. 41, page 13, line 9, by deleting "23" and inserting "23, 25".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 373.

Bill read third time.

Remarks by Assemblyman Bourne.

Roll call on Senate Bill No. 373:

YEAS—42.

NAYS—None.

Senate Bill No. 373 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 415.

Bill read third time.

Remarks by Assemblyman DuBois.

Roll call on Senate Bill No. 415:

YEAS—40.

NAYS—Bilyeu, Price—2.

Senate Bill No. 415 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 428.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Senate Bill No. 428:

YEAS—42.

NAYS—None.

Senate Bill No. 428 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 435.

Bill read third time.

Remarks by Assemblyman Francis.

Roll call on Senate Bill No. 435:

YEAS—42.

NAYS—None.

Senate Bill No. 435 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 298.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 298:

YEAS—41.

NAYS—None.

Not voting—Redelsperger.

Senate Bill No. 298 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 3 p.m.

Assembly in recess at 12:48 p.m.

ASSEMBLY IN SESSION

At 3:08 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 270, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 153, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 13, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 167, 275, 391, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 355, 371, 390, 438.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 146, consisting of the undersigned members, has met, and reports that:

No decision was reached, and recommends the appointment of a second Committee on Conference, to consist of three members, for the further consideration of the bill.

NORMAN D. GLASER	JOSEPH E. DINI, JR.
NICHOLAS J. HORN	DANNY L. THOMPSON
DONALD R. MELLO	KENNETH K. REDELSPERGER
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Dini moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 146.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 195, consisting of the undersigned members, has met, and reports that:

No decision was reached, and recommends the appointment of a second Committee on Conference, to consist of three members, for the further consideration of the bill.

JOE NEAL	MARVIN M. SEDWAY
SUE WAGNER	JOHN DUBOIS
WILLIAM J. RAGGIO	KENNETH L. REDELSPERGER
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Sedway moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 195.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 168, consisting of the undersigned members, has met, and reports that:

No decision was reached, and recommends the appointment of a second Committee on Conference, to consist of three members, for the further consideration of the bill.

ROBERT E. (BOB) ROBINSON	DANNY L. THOMPSON
THOMAS J. HICKEY	ROBERT M. SADER
WILLIAM H. HERNSTADT	JOHN DUBOIS
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 168.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Bremner, Marvel and Sader as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 146.

Mr. Speaker appointed Assemblymen Bremner, Marvel and Sader as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 195.

Mr. Speaker appointed Assemblymen Bremner, Marvel and Dini as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 168.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 399, 431; Senate Joint Resolution No. 24, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 355.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 371.

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

Motion carried.

Senate Bill No. 390.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Ways and Means.
Motion carried.

Senate Bill No. 438.
Assemblyman Jeffrey moved that the bill be referred to the Committee on Judiciary.
Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 341 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 359.
Bill read third time.
Remarks by Assemblyman Sedway.
Roll call on Senate Bill No. 359:
YEAS—42.
NAYS—None.
Senate Bill No. 359 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 391.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Senate Bill No. 391:
YEAS—36.
NAYS—Chaney, Ham, Kovacs, Malone, Sedway, Stewart—6.
Senate Bill No. 391 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 15.
Resolution read third time.
Remarks by Assemblyman Thompson.
Roll call on Senate Joint Resolution No. 15:
YEAS—42.
NAYS—None.
Senate Joint Resolution No. 15 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Senate Bill No. 399.
Bill read third time.
Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 399:

YEAS—42.

NAYS—None.

Senate Bill No. 399 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 431.

Bill read third time.

Remarks by Assemblyman Nicholas.

Roll call on Senate Bill No. 431:

YEAS—42.

NAYS—None.

Senate Bill No. 431 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 24.

Resolution read third time.

Roll call on Senate Joint Resolution No. 24:

YEAS—41.

NAYS—Price.

Senate Joint Resolution No. 24 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended, Senate Bill No. 166 declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 166.

Bill read third time.

Remarks by Assemblymen Stone, Bourne, Price, Nevin, Getto and Collins.

Roll call on Senate Bill No. 166:

YEAS—42.

NAYS—None.

Senate Bill No. 166 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was re-referred Assembly Bill No. 352, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 246, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 465, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 651, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 446, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Assembly Bill No. 352 be placed on the General File.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 153.

Bill read second time.

The following amendment was proposed by Assemblyman Bilyeu:

Amendment No. 948.

Amend sec. 3, page 2, line 3, by deleting ''building'' and inserting: ''the design and construction of''.

Amend sec. 3, page 2, line 10, by deleting ''Construction'' and inserting:

''Design and construction''.

Amend sec. 3, page 2, line 13, by deleting the period and inserting: ''as provided in paragraph (b).''.

Amend sec. 3, page 2, by deleting lines 14 through 19 and inserting: ''(b) The Elko County Recreation Board is to:

(1) Pay to the state the sum of $1,200,000 upon execution of the contract; and

(2) Beginning in the third year after the execution of the contract, pay to the state by July 1 of each year for 18 years the sum of $250,000 or more.''.

Amend sec. 3, page 2, line 20, after the period by inserting: ''Upon

termination, any assets are to be distributed equitably between the state and the Elko County Recreation Board.''.

Amend sec. 3, page 2, by inserting after line 24:

''4. The state treasurer shall credit the interest earned on money paid by the Elko County Recreation Board to the sinking fund for the redemption of these bonds.''.

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

The following amendment was proposed by Assemblyman Bilyeu:

Amendment No. 863.

Amend sec. 3, page 2, line 23, by deleting ''Glaser'' and inserting ''South Fork''.

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblymen Bilyeu and May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 270.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 942.

Amend sec. 3, page 2, line 22, by deleting ''*Officers*'' and inserting ''*Owners or officers*''.

Amend sec. 6, page 3, line 31, by deleting ''$25.'' and inserting ''[$25.] *$125.*''.

Amend sec. 6, page 3, line 41, by deleting ''$25.'' and inserting ''[$25.] *$50.*''.

Amend the title of the bill, fifth line, after ''**;**'' by inserting: ''increasing the fees for certain licenses;''.

Assemblyman Nevin moved the adoption of the amendment.

Remarks by Assemblyman Nevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 246.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment 1000.

Amend section 1, page 1, by deleting line 12 and inserting: '', *upon request of the prosecution, direct the taking, forthwith or at any time to be fixed by the court, of the deposition of any witness summoned or subpenaed by the prosecution for the examination. All depositions taken pursuant to this subsection may be read in evidence, subject to any legal objections made at the time of the taking, at the trial of the cause whenever it appears that the personal attendance of the witness could not, with due diligence, be obtained or when he has left the state, becomes of unsound mind, is too sick or infirm to attend, is dead or is otherwise unavailable.*''.

Amend the bill as a whole by deleting section 2 and renumbering sections 3 through 6 as sections 2 through 5.

Amend sec. 3, page 2, by deleting lines 29 and 30 and inserting: "*(a) Voluntarily failed to appear, upon adequate notice, at the preliminary examination set for him and the prosecution thereafter filed an information upon affidavit.*".

Amend sec. 3, page 2, by deleting line 33 and inserting: "*prosecutor for a negotiated plea to the charge and then refuses or, as a result of his own conduct, otherwise fails to enter that plea.*".

Amend sec. 4, page 2, by deleting lines 41 and 42 and inserting: "*(c) Has failed to appear, upon adequate notice, at the preliminary examination set for him and upon the filing of an affidavit of a person having knowledge of the commission of the offense who is competent to so testify.*".

Amend sec. 4, page 2, line 43, by deleting the bracket.

Amend sec. 4, page 2, line 44, by deleting "] :".

Amend sec. 4, page 3, by deleting lines 1 through 3.

Amend sec. 4, page 3, line 4, by deleting "*(b) Affidavit*".

Amend sec. 4, page 3, by deleting lines 8 through 10 and inserting: "*part of the magistrate,* upon affidavit of any person who has knowledge of the commission of an offense, and who is [a competent witness] *competent* to testify in the case, *or upon the*".

Amend sec. 6, page 3, line 35, by deleting "[,] *or*" and inserting ",".

Amend sec. 6, page 3, by deleting line 36 and inserting: "at the request of a party the judge [shall] *may* order witnesses".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 446.

Bill read third time.

Remarks by Assemblyman Nevin.

Roll call on Assembly Bill No. 446:

YEAS—42.

NAYS—None.

Assembly Bill No. 446 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 651.

Bill read third time.

Remarks by Assemblymen Schofield, Joerg, Bilyeu, Getto, Banner, Stone, May, Jeffrey, Dini, Nevin, Craddock and Coffin.

Roll call on Assembly Bill No. 651:

YEAS—21.

NAYS—Banner, Bergevin, Beyer, Bilyeu, Bogaert, Bourne, Bremner, Craddock, Getto, Ham, Humke, Joerg, Kerns, Marvel, Nevin, Perry, Sader, Stone, Swain, Thomas, Zimmer—21.

Assembly Bill No. 651 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Assembly Bill No. 352 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 352.

Bill read third time.

Remarks by Assemblyman Bilyeu.

Roll call on Assembly Bill No. 352:

YEAS—42.

NAYS—None.

Assembly Bill No. 352 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 112, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 13, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 426.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Bogaert:

Assembly Bill No. 666—An Act relating to state symbols; designating the state colors as silver and blue; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 426.

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

Motion carried.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 7 p.m.

Assembly in recess at 4:15 p.m.

ASSEMBLY IN SESSION

At 7:03 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 270, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Commerce.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 646, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

SECOND READING AND AMENDMENT

Senate Bill No. 112.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 991.

Amend sec. 3, page 2, line 1, before "*The*" by inserting "*1.*".

Amend sec. 3, page 2, between lines 5 and 6 by inserting:

"*2. The executor or administrator having charge of an estate shall sell any real or personal property and transmit the proceeds of the sale to the state treasurer for credit to the fund for escheated estates unless the state treasurer authorizes transmittal of the property.*".

Amend sec. 9, page 5, line 31, before "NRS" by inserting "1.".

Amend sec. 9, page 5, after line 31 by inserting:

"2. Sections 3 and 5 of chapter 58, Statutes of Nevada 1983, are hereby repealed.".

Amend the bill as a whole by adding new sections, designated sections 10 and 11, following section 9, to read as follows:

"Sec. 10. Section 2 of chapter 58, Statutes of Nevada 1983, is hereby amended to read as follows:

Sec. 2. Chapter 382 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. The Nevada historical society may maintain up to the sum of $1,000 in a checking account with an insured bank in this state. The

money in this account may be used to purchase artifacts, manuscripts, references for the library and related materials which become available to the society in an emergency or upon short notice.

2. Money received by the society from donations, grants, the sale of books and pamphlets, or any other source, except appropriations from the state general fund, must be deposited in the state treasury for credit to the historical dedicated trust fund which is hereby created. The money in the trust fund must be expended, within any limitations specified by the particular donors, at the discretion of the director. This money may also be used to reimburse the money expended from the checking account.

3. The interest and income earned on the money in the historical dedicated trust fund, after deducting any applicable charges, must be credited to the fund.

4. The director or a person designated in writing by him shall:

(a) Draw all checks on the checking account.

(b) Endorse all checks or other negotiable items made payable to the Nevada historical society for deposit in the state treasury to be credited to the trust fund.

Sec. 11. This section and subsection 2 of section 9 and section 10 of this act shall become effective upon passage and approval.''.

Amend the title of the bill, fourth line, after ''state;'' by inserting: ''requiring executors and administrators to sell escheated property and transmit money to the state;''.

Assemblyman Ham moved the adoption of the amendment.

Remarks by Assemblyman Ham.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 270.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 978.

Amend the bill as a whole by renumbering section 1 as section 1.5 and inserting a new section, designated section 1, following the enacting clause to read as follows:

''Section 1. Chapter 633A of NRS is hereby amended by adding thereto a new section which shall read as follows:

The board shall not issue:

1. A license to a person licensed as a naturopathic physician in another state unless he meets the requirements for a license pursuant to this chapter.

2. Any temporary licenses for the practice of naturopathic medicine in this state.''.

Amend sec. 4, page 2, line 3, before '':'' by inserting an open bracket.

Amend sec. 4, page 2, by deleting lines 5 through 7 and inserting:

''2. Has] *has* received from the board a license to practice naturopathic [healing; and

3. Practices naturopathic healing under the supervision''.

Amend sec. 4, page 2, line 8, by deleting ''NRS.'' and inserting ''NRS.] *medicine.*''.

Amend sec. 5, page 2, line 10, by deleting ''1.'' and inserting ''[1.]''.

Amend sec. 5, page 2, line 19, before ''2.'' by inserting an open bracket.

Amend sec. 5, page 2, line 20, after ''treatments'' by deleting the bracket.

Amend sec. 5, page 2, by deleting line 22 and inserting ''for diagnosis.]''.

Amend sec. 8, page 4, by deleting lines 1 through 5 and inserting:

''(n)] *or representing that he practices any other healing art while he practices pursuant to this chapter.*

(m) Practicing obstetrics, performing major or minor surgery or invasive procedures [except venipuncture for the withdrawal of blood for diagnosis] or using X-ray or radium treatments.''.

Amend sec. 10, page 4, by deleting lines 29 and 30 and inserting:

''633A.120 [1. A naturopath may not practice naturopathic healing unless he is under the super-''.

Amend sec. 10, page 4, after ''2.'' by inserting a closed bracket.

Amend sec. 12, page 5, line 4, by deleting ''Three'' and inserting ''[Three] *Two*''.

Amend sec. 12, page 5, line 15, after ''4.'' by inserting: ''*One member must have a doctoral degree in a basic science.*

5.''.

Amend sec. 12, page 5, line 20, by deleting ''5.'' and inserting ''[5.] *6.*''.

Amend sec. 12, page 5, line 24, by deleting ''6.'' and inserting ''[6.] *7.*''.

Amend sec. 12, page 5, line 26, by deleting ''7.'' and inserting ''[7.] *8.*''.

Amend sec. 12, page 5, line 28, by deleting ''8.'' and inserting ''[8.] *9.*''.

Amend sec. 14, page 6, by deleting lines 4 through 15 and inserting:

''633A.230 [The board may approve a school of naturopathic healing which:

1. Accepts only]

1. On or before December 31, 1985, each applicant for a license must be a graduate of a school of naturopathic medicine which has been approved by the board, is recognized by the United States Department of Education and accepts:

(a) Only graduates of standard high schools and persons with equivalent education, and which offers a curricu-''.

Amend sec. 14, page 6, line 18, by deleting ''(a)'' and inserting ''[(a)] *(1)*''.

Amend sec. 14, page 6, line 19, by deleting ''(b)'' and inserting [(b)] *(2)*''.

Amend sec. 14, page 6, line 20, by deleting "(c)" and inserting "[(c)] *(3)*".

Amend sec. 14, page 6, line 22, by deleting "(d)" and inserting "[(d)] *(4)*".

Amend sec. 14, page 6, line 24, by deleting "(e)" and inserting "[(e)] *(5)*".

Amend sec. 14, page 6, line 26, by deleting "(f)" and inserting "[(f)] *(6)*".

Amend sec. 14, page 6, line 27, by deleting "(g)" and inserting "[(g)] *(7)*".

Amend sec. 14, page 6, by deleting line 29 and inserting:

"[(h)] *(8)* Neurology *;* [, psychiatry and psychology;]".

Amend sec. 14, page 6, line 30, by deleting "(i)" and inserting "[(i)] *(9)*".

Amend sec. 14, page 6, line 31, by deleting "(j)" and inserting "[(j)] *(10)*".

Amend sec. 14, page 6, line 32, by deleting "(k)" and inserting "[(k)] *(11)*".

Amend sec. 14, page 6, line 33, by deleting "(l)" and inserting "[(l)] *(12)*".

Amend sec. 14, page 6, by deleting lines 34 and 35 and inserting:

"[(m) Manipulation and homeopathy.

2. Accepts persons] *(13) Homeopathy.*

(b) Persons who have degrees from accredited medi-".

Amend sec. 14, page 6, line 38, by deleting "(a)" and inserting "[(a)] *(1)*".

Amend sec. 14, page 6, line 39, by deleting "(b)" and inserting "[(b)] *(2)*".

Amend sec. 14, page 6, line 40, by deleting "(c)" and inserting "[(c)] *(3)*".

Amend sec. 14, page 6, line 41, by deleting "(d)" and inserting "[(d)] *(4)*".

Amend sec. 14, page 6, line 42, by deleting "(e)" and inserting "[(e)] *(5)*".

Amend sec. 14, page 6, line 43, by deleting "*(f)*" and inserting "*(6)*".

Amend sec. 14, page 7, line 1, by deleting "*(g)*" and inserting "*(7)*".

Amend sec. 14, page 7, line 3, by deleting "*(h)*" and inserting "*(8)*".

Amend sec. 14, page 7, line 5, before "The" by inserting an open bracket.

Amend sec. 14, page 7, line 6, after "approval." by inserting: "] *2. Applicants for a license who have attended a school of naturopathic medicine described in subsection 1, may be provisionally licensed by the board but each such applicant must, on or before December 31, 1986, successfully complete the examination approved by the board for the calendar year 1986 to retain his license.*

3. On or after January 1, 1986, each applicant for a license must

be a graduate of a college or university accredited by the Northwest Association of Schools and Colleges, its legal successor or a similar regional association approved by the board.''.

Amend sec. 15, page 7, by deleting lines 13 through 16 and inserting:

''3. Is a graduate of a school [of naturopathic healing which is approved by the board;] *which meets the requirements of NRS 633A.230;*

4. Applies for the license;''.

Amend sec. 15, page 7, line 17, by deleting ''[5.] *6.*'' and inserting ''5.''.

Amend sec. 15, page 7, line 18, by deleting ''[6.] *7.*'' and inserting ''6.''.

Amend the bill as a whole by inserting a new section, designated section 16.5, following section 16, to read as follows:

''Sec. 16.5. NRS 633A.290 is hereby amended to read as follows:

633A.290 [1.] Except as provided in NRS 633A.310, every holder of a license issued under this chapter may renew his license, on or before February 1 of each calendar year after its issuance by:

[(a)] *1.* Applying for renewal on forms provided by the board;

[(b)] *2.* Paying the annual renewal fee prescribed by the board; and

[(c)] *3.* Furnishing proof of attendance at such continuing education [courses as are] *in the subjects* required by the board, not to exceed [12] *20* hours since his last renewal or licensing.

[2. The secretary of the board shall notify each licensee of the renewal requirement not less than 60 days before the date of renewal.]''.

Amend the bill as a whole by inserting new sections, designated sections 35 through 39, following section 34, to read as follows:

''Sec. 35. Chapter 616 of NRS is hereby amended by adding thereto a new section which shall read as follows:

The insurer may not deny responsibility under this chapter for any charges for treatment of the injuries or disease of an employee solely because the treatment was provided by a person licensed to practice naturopathic medicine pursuant to chapter 633A of NRS whether or not he is a member of the panel of physicians.

Sec. 36. Chapter 689A of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. If any policy of health insurance provides coverage for treatment of an illness which is within the authorized scope of practice of a qualified naturopathic physician, the insured is entitled to reimbursement for such treatments by a naturopathic physician who is licensed pursuant to chapter 633A of NRS.

2. The terms of the policy must not limit coverage for treatments by a naturopathic physician to a number less than for treatments by other physicians.

Sec. 37. Chapter 689B of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. If any group policy of health insurance provides coverage for treatment of an illness which is within the authorized scope of practice

of a qualified naturopathic physician, the insured is entitled to reimbursement for such treatments by a naturopathic physician who is licensed pursuant to chapter 633A of NRS.

2. The terms of the policy must not limit coverage for treatments by a naturopathic physician to a number less than for treatments by other physicians.

Sec. 38. Chapter 695B of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. If any contract for hospital or medical service provides coverage for treatment of an illness which is within the authorized scope of practice of a qualified naturopathic physician, the insured is entitled to reimbursement for such treatments by a naturopathic physician who is licensed pursuant to chapter 633A of NRS.

2. The terms of the contract must not limit coverage for treatments by a naturopathic physician to a number less than for treatments by other physicians.

Sec. 39. Chapter 695C of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. If any evidence of coverage provides coverage for treatment of an illness which is within the authorized scope of practice of a qualified naturopathic physician, the insured is entitled to reimbursement for such treatments by a naturopathic physician who is licensed pursuant to chapter 633A of NRS.

2. The terms of the evidence of coverage must not limit coverage for treatments by a naturopathic physician to a number less than for treatments by other physicians.''.

Amend the title of the bill, third line, after ''; '' by inserting: ''removing the requirement that naturopathic physicians be supervised by a physician; requiring certain policies of insurance to provide benefits for treatments by naturopathic physicians;''.

Amend the summary, second line, by deleting the period and inserting: ''and removes requirement of supervision by a physician.''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Assemblyman Jeffrey moved that Assembly Bill No. 270 be rereferred to the Committee on Commerce.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 646.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 987.

Amend section 1, page 1, by deleting line 8 and inserting:

''*(a) Administrative costs must be retained from the proceeds of the sale*''.

Assemblyman Dini moved the adoption of the amendment.

Amendment adopted.

Assemblyman Sader moved that Assembly Bill No. 646 be re-referred to the Committee on Ways and Means.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered reprinted and engrossed.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 7:08 p.m.

ASSEMBLY IN SESSION

At 7:14 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Perry gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 651 was this day refused passage.

GENERAL FILE AND THIRD READING

Assembly Bill No. 44.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Assembly Bill No. 44:

YEAS—42.

NAYS—None.

Assembly Bill No. 44 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 320.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Assembly Bill No. 320:

YEAS—42.

NAYS—None.

Assembly Bill No. 320 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 418.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 418:

YEAS—42.

NAYS—None.

Assembly Bill No. 418 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 404.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 404:

YEAS—42.

NAYS—None.

Assembly Bill No. 404 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 191.

Bill read third time.

Remarks by Assemblyman Price.

Roll call on Assembly Bill No. 191:

YEAS—41.

NAYS—Kovacs.

Assembly Bill No. 191 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended, Assembly Bills Nos. 475 and 635; Senate Bills Nos. 19, 131 and 258 declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 623; Senate Bill No. 427, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Assembly Bill No. 660, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Concurrent Resolution No. 39, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 661, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 465.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Senate Bill No. 465:

YEAS—42.

NAYS—None.

Senate Bill No. 465 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Assembly Bill No. 660.

Bill read second time.

The following amendment was proposed by the Committee on Health and Welfare:

Amendment No. 1009.

Amend the bill as a whole by adding a new section, designated section 4, following section 3, to read as follows:

"Sec. 4. Section 1 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Chaney moved the adoption of the amendment.

Remarks by Assemblyman Chaney.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 39.

Assemblyman May moved the adoption of the resolution.

Remarks by Assemblyman May.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 667—An Act relating to the state government; removing the requirements for a minimum or specific number of meetings by state boards, commissions, committees or councils which receive money from the state general fund; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 475.
Bill read third time.
Remarks by Assemblyman Getto.
Roll call on Assembly Bill No. 475:

YEAS—41.
NAYS—May.

Assembly Bill No. 475 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 635.
Bill read third time.
Remarks by Assemblyman Redelsperger.
Roll call on Assembly Bill No. 635:

YEAS—42.
NAYS—None.

Assembly Bill No. 635 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 19.
Bill read third time.
Remarks by Assemblyman Bilyeu.
Roll call on Senate Bill No. 19:

YEAS—42.
NAYS—None.

Senate Bill No. 19 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 131.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 131:

YEAS—42.
NAYS—None.

Senate Bill No. 131 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 258.
Bill read third time.
Remarks by Assemblymen Nevin, Collins, Bogaert, Price, Thomas, Francis, Bilyeu, Chaney, Stewart, Bourne, Thompson and Collins.

Roll call on Senate Bill No. 258:

YEAS—26.

NAYS—Bilyeu, Brady, Chaney, Collins, Dini, Fay, Francis, Jeffrey, Joerg, Kovacs, Price, Redelsperger, Schofield, Sedway, Thompson, Zimmer—16.

Senate Bill No. 258 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 623.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Bill No. 623:

YEAS—41.

NAYS—None.

Not voting—Thomas.

Assembly Bill No. 623 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended, Assembly Bill No. 293 declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 661.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Assembly Bill No. 661:

YEAS—42.

NAYS—None.

Assembly Bill No. 661 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 427.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 427:

YEAS—42.

NAYS—None.

Senate Bill No. 427 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Coffin moved that Assembly Bill No. 293 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Coffin.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 618, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bill No. 653; Senate Bill No. 48, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 83, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which were referred Assembly Bill No. 579; Senate Bill No. 224, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 13, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day respectfully refused to concur in the Assembly amendment to Senate Bill No. 278.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 391.

The following Senate amendment was read:

Amendment No. 958.

Amend sec. 6, page 3, line 6, after "*programs*" by inserting "*and budgets*".

Amend sec. 12, page 4, by inserting between lines 30 and 31: "*Each recipient must provide an amount of money, at least equal to the grant, for the same purpose.*".

Amend sec. 18, page 6, line 16, by inserting after the period: "*Each recipient must provide an amount of money, at least equal to the grant, for the same purpose.*".

Amend the bill as a whole by deleting section 19.5.

Amend sec. 20, page 7, line 19, by deleting "*film commissioner*" and inserting: "*division of motion pictures*".

Amend sec. 21, page 8, line 6, by deleting "*19.5*" and inserting: "*18, 19*".

Amend sec. 22, page 8, by deleting line 15 and inserting: "*commission on economic development, consisting of:*

1. A division of economic development; and

2. A division of motion pictures.".

Amend sec. 23, page 8, by deleting lines 34 and 35 and inserting: "*with the University of Nevada System.*".

Amend sec. 25, page 9, by deleting lines 38 and 39 and inserting:

"*1. Shall establish the policies and approve the programs and budgets of the division of economic development and division of motion pictures concerning:*

(a) The promotion of industrial development and diversification in this state; and

(b) The promotion of the production of motion pictures in this state.".

Amend sec. 27, page 10, line 16, by deleting "*18 and 19*" and inserting: "*18, 19 and 20*".

Amend sec. 28, page 10, line 27, after "*development,*" by inserting: "*promoting the production of motion pictures,*".

Amend sec. 32, page 11, by deleting lines 34 and 35 and inserting:

"231.130 [The director] *In performing their duties, the executive director of the commission on economic development and the administrator of the division of motion pictures* shall not inter-".

Amend the bill as a whole by deleting section 33.5.

Assemblyman Price moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 391.

Remarks by Assemblyman Price.

Motion carried.

Bill ordered transmitted to the Senate.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Dini moved that the Assembly do not recede from its action on Senate Bill No. 278, that a conference be requested, and that Mr. Speaker appoint a first Committee on Conference consisting of three members to meet with a like committee of the Senate.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen May, Jeffrey and Thomas as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 278.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 275.

The following Senate amendment was read:

Amendment No. 880.

Amend sec. 3, page 2, line 14, by deleting "*NRS 200.509 or*".

Amend sec. 3, page 2, lines 38 and 39, by deleting "*NRS 200.509 or*".

Amend sec. 4, page 3, by deleting lines 6 through 19 and inserting:

"Sec. 4. NRS 217.260 is hereby amended to read as follows:

217.260 1. Money for payment of compensation as ordered by the board must be paid from the fund for the compensation of victims of crime, which is hereby created. Money in the fund must be disbursed on the order of the board in the same manner as other claims against the state are paid.

2. If on June 30 of any year the fund contains more than [$250,000,] *$350,000,* the state treasurer shall distribute the excess to the counties in the same proportion that the money which each county paid to the fund bears to the amount paid to the fund by all counties. The distribution must be made on or before July 31, and the money must be deposited in the general fund of each county.".

Amend the title of the bill to read as follows:

"An Act relating to crimes; providing for the forfeiture of certain property used in certain crimes; requiring that all proceeds from the sale of such property, after the payment of expenses, be used to assist certain victims of crimes; and providing other matters properly relating thereto.".

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 275.

Remarks by Assemblyman Stewart.

Motion carried.

Bill ordered enrolled.

SECOND READING AND AMENDMENT

Assembly Bill No. 579.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 990.

Amend section 1, page 1, line 4, by deleting "*colony.*" and inserting: "*colony in excess of 15.*".

Amend sec. 2, page 2, line 5, by deleting "*ony.*" and inserting: "*ony in excess of 15.*".

Amend the bill as a whole by adding new sections designated sections 5 and 6, following section 4, to read as follows:

"Sec. 5. For the year 1983 only, the fees required in sections 1 and 2 of this act must be paid by July 1, 1983.

Sec. 6. 1. This section and sections 1, 2, 4 and 5 of this act shall become effective upon passage and approval.

2. Section 3 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Amend the title of the bill, second and third lines, by deleting: "fee for each colony of bees; imposing" and inserting "fee; providing".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 618.
Bill read second time.
The following amendment was proposed by the Committee on Ways and Means:
Amendment No. 1002.
Amend the bill as a whole by renumbering section 4 as section 5 and inserting a new section, designated section 4, following section 3, to read as follows: "Sec. 4. NRS 581.075 is hereby amended to read as follows:
581.075 The state sealer of weights and measures may establish a schedule of fees for any [special] tests of weighing and measuring devices determined by him to be necessary.".
Assemblyman Bremner moved the adoption of the amendment.
Remarks by Assemblyman Bremner.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 653.
Bill read second time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 1003.
Amend section 1, page 2, line 2, by deleting "*entity*" and inserting "*agent*".
Assemblyman Dini moved the adoption of the amendment.
Remarks by Assemblyman Dini.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 48.
Bill read second time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 1012.
Amend the bill as a whole by renumbering sections 1 and 2 as sections 2 and 3, and adding a new section, designated section 1, preceding section 1, to read as follows:
"Section 1. NRS 278.040 is hereby amended to read as follows:
278.040 1. The members of the planning commission are appointed by the chief executive officer of the city, or in the case of a county by the chairman of the board of county commissioners, with the approval of the governing body. The members shall not hold any other public office, except that one member may be a member of the zoning board of adjustment. The majority of the members of the county planning commission in any county of over 250,000 population must reside within the unincorporated area of the county, subject to the provisions of subsection 7.

2. In Carson City, the members of the planning commission established as provided in NRS 278.030 are appointed by the mayor from the city at large, with the approval of the board of supervisors.

3. [All members of the planning commission serve without compensation but are entitled to reasonable travel expenses made necessary in the fulfillment of their duties, except that a board of county commissioners] *The governing body* may provide for compensation to its planning commission in an amount of not more than $40 per meeting of the commission, with a total of not more than $200 per month, and may provide travel expenses and subsistence allowances for the members in the same amounts as are allowed for [state] *other* officers and employees [.] *of the county or city.*

4. The term of each member is 4 years, or until his successor takes office.

5. Members may be removed, after public hearing, by a majority vote of the governing body for inefficiency, neglect of duty or malfeasance of office.

6. Vacancies occurring otherwise than through the expiration of term must be filled for the unexpired term.

7. Appointments to meet the requirements of subsection 1 with respect to members residing in unincorporated areas in counties of over 250,000 population must be made as follows:

(a) The member newly appointed on July 1, 1973, must reside in the unincorporated area of the county; and

(b) The members appointed to fill the next three vacancies, whether occurring by expiration of term or otherwise, must reside in the unincorporated area of the county.''.

Amend section 1, page 1, by deleting lines 12 and 13 and inserting: ''body.] *by the board of adjustment or the planning commission. The governing body may*''.

Amend section 1, page 1, by deleting lines 17 through 18 and inserting: ''*board or commission. A hearing to consider an application for the granting of a variance, special use permit or special exception must be held before the board or commission within 65 days after the filing of the application. A notice setting forth the time, place and purpose of the hearing must be sent by mail at least 10 days before the hearing to the applicant, to each owner of real property located within 300 feet of the property in question, and to any advisory board which has been established for the affected area by the governing body. Any such ordinance must provide an opportunity for the applicant or a protestant to appeal from a decision of the board or commission to the governing body.*''.

Amend sec. 2, page 2, line 1, by deleting ''[or] , *the*'' and inserting ''or''.

Amend sec. 2, page 2, line 2, by deleting: ''[both,] *an administrative officer or agency*'' and inserting ''both,''.

Amend the bill as a whole by adding a new section, designated section 4, following section 2, to read as follows:

''Sec. 4. NRS 268.130 is hereby repealed.''.

Amend the title of the bill to read as follows:

"An Act relating to the use of land; providing a procedure for the granting of variances, special use permits and other special exemptions by agencies; allowing a local government to pay compensation to members of its planning commission; and providing other matters properly relating thereto.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 224.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 995.

Amend section 1, page 2, line 38, by deleting "*of*" and inserting: "*set by the state board of agriculture which does not exceed*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 248, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 83.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 83:

YEAS—42.

NAYS—None.

Senate Bill No. 83 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Senate Bill No. 248.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1016.

Amend second 1, page 1, line 5, by deleting "*or*" and inserting "*and*".

Amend sec. 2, page 1, line 16, by deleting "*or*" and inserting "*and*".

Amend sec. 3, page 2, line 8, by deleting "*or*" and inserting "*and*".

Amend sec. 4, page 2, line 19, by deleting "*or*" and inserting "*and*".

Assemblyman Coffin moved the adoption of the amendment.

Remarks by Assemblyman Coffin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 134, 408, 424, 457, 564; Senate Bills Nos. 17, 71, 97, 118, 161, 261, 318, 340, 345.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Dini, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Rhonda Laurence.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kris Johnson.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Perdomo, Steyn and third and fourth grade students from Grace Bordewich School, Carson City, Nevada: Lance Wright, Todd McMaster, Laura Oster, Bobby Ramsdell, Brandy Radford, Jeff Catlett, Bryan Gentry, Mike Smith, Andy Williams, Greg Bray, James Ellison, Lew Dutchy, Brian Braunreiter, Brent Re' and Richard Bender.

Assemblyman Jeffrey moved that the Assembly adjourn until Saturday, May 14, 1983, at 10:45 a.m.

Motion carried.

Assembly adjourned at 8:11 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND EIGHTEENTH DAY

CARSON CITY (Saturday), May 14, 1983

Assembly called to order at 11:09 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Terry W. Arnold.

Father in Heaven, we thank you for this day that you have given us. We thank you, Lord, that it is the last day of the week. We ask that you help us to do our work, to get it done so that we might be with our families and our friends and back to our other business affairs. Thank you, Father, for this time that you have given us to work for you, work for our state, and for each other, for it is in the name of Jesus Christ, our Saviour, that we pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 455, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 232, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which were referred Senate Bills Nos. 194, 371; Senate Joint Resolution No. 2, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 429, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 13, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 146 and requests a second conference, and appointed Senators Gibson, Jacobsen and Raggio as

a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 146.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 195 and requests a second conference, and appointed Senators Gibson, Glaser and Jacobsen as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No 195.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 149.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 177, 230, 298, 303, 350.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Senate Bill No. 168 and requests a second conference, and appointed Senators Ashworth, Gibson and Raggio as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 168.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Senate Bill No. 273.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 273, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 6 C, which is attached to and hereby made a part of this report.

DONALD R. MELLO
NICHOLAS J. (NICK) HORN
BOB RYAN
Senate Committee on Conference

DAVID E. HUMKE
DAVID D. NICHOLAS
CHARLES C. PERRY, JR.
Assembly Committee on Conference

Amendment No. 6 C.

Amend sec. 7, page 3, by deleting lines 6 through 17 and inserting:

"427A.020 As used in this chapter, unless the context otherwise requires:

1. "Administrator" means the chief of the aging services division of the department.

2. *"Advocate" means an advocate for residents of facilities for long-term care.*

3. "Commission" means the Nevada commission on aging.

[3.] *4.* "Day care center" means any health and care facility, as defined by NRS 449.007, which is maintained and operated primarily to provide care for one or more elderly disabled persons during the day.

[4.] *5.* "Department" means the department of human resources.

[5.] *6.* "Director" means the director of the department.

[6.] *7.* "Division" means the aging services division of the department.".

Amend sec. 7, page 3, line 18, by deleting "*7.*" and inserting "*8.*".

Amend the bill as a whole by adding a new section designated section 8, following section 7, to read as follows:

"Sec. 8. Section 7 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Humke moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 273.

Remarks by Assemblyman Humke.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 232 be placed at the top of the General File.

Motion carried.

Assemblyman May moved that Senate Joint Resolution No. 2 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 668—An Act relating to department of general services; placing chiefs of divisions in the unclassified service of the state; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Price, Collins and Jeffrey:

Assembly Resolution No. 15—Requesting the return of Senate Bill No. 415 from the senate.

Assemblyman Price moved the adoption of the resolution.

Resolution adopted unanimously.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 167.

The following Senate amendments were read:

Amendment No. 684.

Amend sec. 10, page 7, by deleting lines 21 through 28 and inserting: "*this act, the court shall:*

(1) Order him to pay tuition for an educational course on the abuse of alcohol and controlled substances approved by the department of motor vehicles and complete the course within the time specified in the order, and the court shall notify the department if he fails to complete the course within the specified time;

(2) Unless the sentence is reduced pursuant to section 11 of this act, sentence him to imprisonment for not less than 2 days nor more than 6 months in jail, to perform 48 hours of work for the community

while dressed in distinctive garb which identifies him as having violated the provisions of NRS 484.379; and

(3) Fine him not less than $200 nor more than $1,000.''.

Amend sec. 11, page 9, by deleting line 2 and inserting:

''*(1) One day, or has performed or will perform 24 hours of work for the community, if it is his first offense within 7 years; or*''.

Amendment No. 790.

Amend sec. 10, subsection 1, paragraph (a), after subparagraph (3), by inserting a flush line to read as follows:

''*The teacher of the educational course shall evaluate the offender and, if he finds the offender is an abuser of alcohol or controlled substances, he shall promptly report his findings to the court for its use.*''.

Amend sec. 10, page 8, lines 8 through 10, by deleting: ''*suspended, nor may credit be given for attending any program of education, counseling or treatment before conviction.*'' and inserting ''*suspended.*''.

Amendment No. 791.

Amend sec. 2, page 2, by deleting lines 16 through 17 and inserting ''*arrest.*''.

Amendment No. 792.

Amend sec. 13, page 10, line 36, by deleting: ''*of the* alleged *violation*'' and inserting: ''[alleged] *of the test*''.

Amend sec. 13, page 10, line 40, after ''that'' by inserting: ''*at the time of the alleged violation*''.

Amend sec. 13, page 10, line 44, after ''that'' by inserting: ''*at the time of the alleged violation*''.

Amend sec. 13, page 11, line 5, after ''that'' by inserting: ''*at the time of the alleged violation*''.

Amendment No. 793.

Amend sec. 14, page 12, line 11, by deleting ''*both.*'' and inserting: ''*both, in addition to the breath test.*''.

Amend sec. 14, page 12, line 12, after ''*both of the*'' by inserting ''*blood and urine*''.

Amendment No. 794.

Amend the bill as a whole by adding a new section, designated section 17.5, following section 17, to read as follows:

''Sec. 17.5. NRS 484.393 is hereby amended to read as follows:

484.393 1. The results of any blood test administered under the provisions of NRS 484.383 or 484.391 are not admissible in any hearing or criminal action arising out of the acts alleged to have been committed while a person was under the influence of intoxicating liquor or a controlled substance unless [the] *:*

(a) The blood tested was withdrawn by a physician, registered nurse, licensed practical nurse, advanced emergency medical technician-ambulance or a technician employed in a medical laboratory [.] *; and*

(b) The test was performed on whole blood.

2. The limitation contained in *paragraph (a) of* subsection 1 does not apply to the taking of a chemical test of the urine, breath or other bodily substance.

3. No physician, registered nurse, licensed practical nurse, advanced emergency medical technician-ambulance or technician incurs any civil or criminal liability as a result of the administering of a blood test when requested by a police officer or the person to be tested to administer such test.''.

Assemblyman Coffin moved that the Assembly concur in the Senate amendments to Assembly Bill No. 167.

Remarks by Assemblymen Coffin and Sader.

Assemblymen Fay, Stone and Stewart requested a roll call on Assemblyman Coffin's motion.

Roll call on Assemblyman Coffin's motion:

YEAS—42.
NAYS—None.

The motion having received a majority, Mr. Speaker declared it carried.

Bill ordered enrolled.

GENERAL FILE AND THIRD READING

Assembly Bill No. 232.
Bill read third time.
Remarks by Assemblymen Zimmer and Price.
Roll call on Assembly Bill No. 232:

YEAS—42.
NAYS—None.

Assembly Bill No. 232 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 570.
Bill read third time.
Remarks by Assemblymen May, Dini, Jeffrey, Price and Craddock.
Roll call on Assembly Bill No. 570:

YEAS—42.
NAYS—None.

Assembly Bill No. 570 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 246.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Assembly Bill No. 246:

YEAS—42.
NAYS—None.

Assembly Bill No. 246 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 579.
Bill read third time.
Remarks by Assemblyman Bilyeu.
Roll call on Assembly Bill No. 579:
YEAS—41.
NAYS—Thomas.

Assembly Bill No. 579 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 618.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Assembly Bill No. 618:
YEAS—42.
NAYS—None.

Assembly Bill No. 618 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 653.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Assembly Bill No. 653:
YEAS—42.
NAYS—None.

Assembly Bill No. 653 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 660.
Bill read third time.
Remarks by Assemblyman Beyer.
Roll call on Assembly Bill No. 660:
YEAS—42.
NAYS—None.

Assembly Bill No. 660 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 122.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Senate Bill No. 122:
YEAS—42.
NAYS—None.

Senate Bill No. 122 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 197.
Bill read third time.
Remarks by Assemblyman Banner.
Roll call on Senate Bill No. 197:
YEAS—42.
NAYS—None.

Senate Bill No. 197 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 48.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Senate Bill No. 48:
YEAS—41.
NAYS—None.
Not voting—Collins.

Senate Bill No. 48 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Assembly Bill No. 619 be taken from the Chief Clerk's desk and placed at the top of the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 619.
Bill read third time.
Remarks by Assemblymen Sader, Stone and Zimmer.
Roll call on Assembly Bill No. 619:
YEAS—37.
NAYS—Brady, DuBois, Humke, Nicholas, Zimmer—5.

Assembly Bill No. 619 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 112.
Bill read third time.
Remarks by Assemblyman Ham.
Roll call on Senate Bill No. 112:
YEAS—42.
NAYS—None.

Senate Bill No. 112 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 224.
Bill read third time.

Roll call on Senate Bill No. 224:

YEAS—42.

NAYS—None.

Senate Bill No. 224 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 248.

Bill read third time.

Remarks by Assemblyman Coffin.

Roll call on Senate Bill No. 248:

YEAS—42.

NAYS—None.

Senate Bill No. 248 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 270.

Bill read third time.

Remarks by Assemblymen Nevin and Jeffrey.

Roll call on Senate Bill No. 270:

YEAS—38.

NAYS—Collins, Redelsperger, Stone, Thomas—4.

Senate Bill No. 270 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 339.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Senate Bill No. 339:

YEAS—42.

NAYS—None.

Senate Bill No. 339 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 455.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 455:

YEAS—42.

NAYS—None.

Assembly Bill No. 455 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 614, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 614 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 614.

Bill read third time.

Remarks by Assemblymen Jeffrey, Bourne, Bogaert and Stone.

Assemblyman Kovacs requested that Assemblyman Bourne's remarks be entered in the Journal:

Mr. Speaker, I am rising in opposition to this, not because of the idea of conserving water, not because of the idea that it is not a good thought that might settle some questions regarding the Truckee River and water, but rising in opposition because the three entities in our governmental body comprised of Washoe County, Sparks and Reno have not been able to agree on anything in this legislative house this session regarding water issues. I think to make this legislation law before they come to some agreement on the overall water issue in Washoe County would be truly a mistake. We also have an interim study regarding this, by the way.

Assemblyman Bogaert requested that his remarks be entered in the Journal:

Yes, Mr. Speaker, I rise in support of this. All we're really doing is giving the three local government entities the opportunity to explore and look into ways that they might use water meters on residential properties. They already use them in business properties and, of course, everywhere else in the state they do have water meters. So this just gives both the governments the opportunity to look at the big picture and decide if there is a way to finance this, and if there is a way and it will save water during tough years in Washoe County, and if so, it is up to the local people to make that kind of decision.

Assemblyman Getto requested that Assemblyman Stone's remarks be entered in the Journal:

Thank you, Mr. Speaker. Speaking for my district, the city of Sparks, our constituency has, over the years, shown that they are definitely opposed to the installation of water meters. However, in spite of that I am going to vote for this bill because I would rather have the authority to determine whether or not those meters are going to go in with my city council than I would with this legislature. That is the reason I'm going to vote for the bill. I think that we are returning some control back to the local governments, recognizing that Mr. Bourne's points are also valid, that they haven't been able to agree on anything. But this doesn't take intercity cooperation or intergovernmental cooperation. Each council or commission may adopt their own ordinance prohibiting the use of the meters. I would rather have it there than here.

Roll call on Assembly Bill No. 614:

YEAS—31.

NAYS—Beyer, Bourne, Chaney, Collins, Humke, Nicholas, Redelsperger, Sedway—8.

Not voting—Kovacs, Price, Zimmer—3.

Assembly Bill No. 614 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Senate Bill No. 429.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1024.

Amend section 1, page 1, lines 8 and 9, by deleting "inquisition" and inserting "[inquisition] *inquest*".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Bergevin, Dini and Nicholas:

Assembly Concurrent Resolution No. 52—Expressing the intent of the legislature on permitting residential construction in the Tahoe Basin.

Assemblyman Bergevin moved the adoption of the resolution.

Remarks by Assemblymen Bergevin and Nicholas.

Resolution adopted unanimously.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 12:45 p.m.

Assembly in recess at 12:08 p.m.

ASSEMBLY IN SESSION

At 1:41 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 14, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 436, 451, 454, 455, 469.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 291, 360.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 669—An Act relating to the licensing of private investigators and polygraphic examiners; increasing fees for licenses and certain other fees; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 291.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Elections.

Motion carried.

Senate Bill No. 360.

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

Motion carried.

Senate Bill No. 436.

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

Motion carried.

Senate Bill No. 451.

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

Motion carried.

Senate Bill No. 454.

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

Motion carried.

Senate Bill No. 455.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 469.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 194.

Bill read third time.

Remarks by Assemblyman Bogaert.

Roll call on Senate Bill No. 194:

YEAS—40.
NAYS—None.
Absent—Bremner, Schofield—2.

Senate Bill No. 194 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 371.

Bill read third time.

Remarks by Assemblymen Bergevin and Getto.

Roll call on Senate Bill No. 371:

YEAS—40.
NAYS—None.
Absent—Bremner, Schofield—2.

Senate Bill No. 371 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 276, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker announced that if there were no objections, the Assembly would recess until 4 p.m.

Assembly in recess at 1:50 p.m.

ASSEMBLY IN SESSION

At 4:32 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended, Senate Bill No. 429 declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was re-referred Assembly Bill No. 270, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bill No. 632; Senate Bill No. 355, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Assembly Bills Nos. 412, 465, 533; Senate Bills Nos. 162, 306, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Joint Resolution No. 18, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 604, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was re-referred Assembly Bill No. 367, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Taxation.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 627, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 270 be placed on the General File.

Motion carried.

Assemblyman Coffin moved that Assembly Bill No. 367 be re-referred to the Committee on Taxation.

Motion carried.

By Assemblymen Schofield, Jeffrey and Vergiels:

Assembly Concurrent Resolution No. 53—Designating May 22 through May 28, 1983, as National Public Works Week.

WHEREAS, Public works in this state are such an integral part of our daily lives that they are often taken for granted; and

WHEREAS, The support of informed citizens is vital to the efficient operation of a system of public works which includes the planning, design and construction of streets and highways, public buildings and the lighting of streets; and

WHEREAS, Talented people staff the many departments of public works throughout Nevada and their dedication toward improving the cities of Nevada should be commended; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the legislature of the State of Nevada designates the week of May 22 through May 28, 1983, as National Public Works Week in honor of the hard-working employees engaged upon public works.

Assemblyman Schofield moved the adoption of the resolution.
Remarks by Assemblyman Schofield.
Resolution adopted unanimously.

By Assemblyman Craddock:
Assembly Concurrent Resolution No. 54—Creating a special committee to study dyslexia and other specific learning disabilities; and authorizing an expenditure from the legislative fund.
Assemblyman Craddock moved that the resolution be referred to the Committee on Legislative Functions.
Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 276.
Bill read second time.
The following amendment was proposed by the Committee on Transportation:
Amendment No. 1017.
Amend the bill as a whole by renumbering sections 1 through 7 as sections 2 through 8 and adding a new section, designated section 1, preceding section 1, to read as follows:
"Section 1. NRS 366.221 is hereby amended to read as follows:
366.221 1. No special fuel user's license may be required of the following classes of special fuel users:
(a) Operators of motor vehicles who make occasional trips into this state for the purpose of service or repair.
(b) Operators of house coaches as defined in NRS 484.067.
(c) Operators of motor vehicles having an unladened weight of not more than 6,000 pounds.
(d) Operators of unladened motor vehicles purchased in this state for the trip from the point of delivery to the state boundary.
(e) Operators of motor vehicles who make occasional trips into or across this state for nonprofit or eleemosynary purposes.
(f) Operators of motor vehicles used in the production of motion pictures, including films to be shown in theaters and on television, industrial, training and educational films, commercials for television and video discs and tapes.
2. Any special fuel purchased in this state by any person exempt from licensing under subsection 1 must be purchased from a licensed special fuel dealer, who shall collect the tax on any special fuel delivered into the vehicle's fuel supply tank.
Assemblyman Fay moved the adoption of the amendment.
Remarks by Assemblyman Fay.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 153.
Bill read third time.
Remarks by Assemblymen Bilyeu, Bremner and Dini.

Roll call on Senate Bill No. 153:

YEAS—42.

NAYS—None.

Senate Bill No. 153 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 429.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 429:

YEOS—42.

NAYS—None.

Senate Bill No. 429 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 632.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 632:

YEAS—42.

NAYS—None.

Assembly Bill No. 632 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 355.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Senate Bill No. 355:

YEAS—42.

NAYS—None.

Senate Bill No. 355 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Assembly Bill No. 412.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1044.

Amend the bill as a whole by deleting sections 1 through 13 and inserting: "Section 1. Chapter 711 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 13, inclusive, of this act.

Sec. 2. *"Basic service" means the service which is available to subscribers for a fee and which includes the provision of retransmission*

of local broadcast signals, public educational and governmental programming and any other service voluntarily offered by the community antenna television company as a part of the basic service.

Sec. 3. *"Franchise" means the privilege, granted to a community antenna television company by a local government for a fee, to provide services to subscribers within the jurisdiction of the local government pursuant to a franchise agreement.*

Sec. 4. *"Governing body" means the board or council or other body in which the general legislative powers of a local government are vested.*

Sec. 5. *"Local government" means any city or county which has the power to grant a franchise under NRS 711.090.*

Sec. 6. *"Regulatory authority" means:*

1. The governing body of the local government which granted the franchise; or

2. The commission in areas within the jurisdiction of a local government in which the governing body has relinquished its regulatory power pursuant to section 11 of this act.

Sec. 7. *A governing body shall not refuse to renew the franchise of a community antenna television company unless it finds that:*

1. The ability of the company to provide services to its subscribers has substantially changed;

2. The company substantially failed to comply with a term or condition of the franchise;

3. The quality of the transmissions of the company have consistently failed to meet the standards for transmissions adopted by the Federal Communications Commission;

4. The company failed to comply with a requirement for the setting aside of additional channels or for additional facilities which requirement is reasonable and based upon the needs of the subscribers within the jurisdiction of the local government.

5. The company refused to accept a reasonable term or condition which the governing body proposed to add to the franchise.

Sec. 8. *1. The total amount of fees paid in any one year to a local government for a franchise must not exceed 5 percent of the company's gross revenue for the preceding year.*

2. In determining the gross revenue of a company the governing body shall:

(a) Consider any applicable regulations of the Federal Communications Commission; and

(b) Deduct an amount equal to any fees or annual assessment paid by the company for:

(1) The use of pay or premium channels; and

(2) Regulation as a public utility under the jurisdiction of the commission.

Sec. 9. *1. A community antenna television company shall not advertise, offer to provide or provide any service to its subscribers at a rate, including any rebate, which is less than the cost to the company to provide the service if the rate:*

(a) Impairs fair competition or restrains trade among companies which provide services in the same area; or

(b) Results in the creation of a monopoly.

2. For the purposes of this section, "cost" means the expense of doing business for a community antenna television company, including, without limitation, its expenses for labor, rent, depreciation and similar amortizations, interest, maintenance, delivery of the service, franchises, taxes, insurance and advertising. Surveys of the cost to all community antenna television companies in Nevada for the services they provide, may be used to establish the cost to each individual company for those services.

3. A community antenna television company shall not offer any services which are offered in the same area by a telephone company as a telephone service pursuant to rates or regulations approved by the commission.

Sec. 10. *The local government may adopt an ordinance establishing procedures to resolve subscribers' complaints. The ordinance must include procedures for administrative hearings and appeals and may include a penalty of not more than $200 for each complaint. Before adopting the ordinance, the governing body shall give the community antenna television company at least 15 days' notice of the adoption of the ordinance.*

Sec. 11. *1. The provisions of NRS 711.110 to 711.160, inclusive, and sections 12 and 13, of this act, do not apply to any county in which at least four broadcast signals with at least one affiliate of each of the three major television networks, located within the Grade B contour, are available without the use of the services of a community antenna television company. As used in this subsection, "Grade B contour" means the field strength of the signals for television transmitted at a radio frequency specified by the federal communications commission and broadcast by a station for television.*

2. Except as provided in subsection 3, in all other counties the governing body which grants a franchise to a community antenna television company shall regulate the basic service provided by that company pursuant to NRS 711.110 to 711.160, inclusive, and sections 12 and 13 of this act.

3. A governing body may relinquish its regulatory power over the community antenna television companies to which it grants franchises by notifying the commission in writing. The commission shall regulate the basic services of all companies which operate pursuant to a franchise granted by a governing body which has relinquished its regulatory power and those companies are under the jurisdiction of the commission for the purpose of the annual assessment imposed pursuant to NRS 704.033.

Sec. 12. *1. The regulatory authority shall regulate the rates charged by a community antenna television company for basic services and may regulate the rates charged for the installation or rental of any equipment related to the provision of the basic services.*

2. A community antenna television company must be allowed to

increase its rates each year, without the approval of the regulatory authority, by 5 percent or 50 percent of the percent of increase in the Consumer Price Index, published by the United States Department of Labor for the preceding calendar year, whichever percentage is greater. For any one year, if a company has not raised its rates in either or both of the preceding 2 years by the maximum amount allowable, it must be allowed to increase its rates by an amount equal to the difference between the actual rate of increase and the maximum allowable increase for the preceding 2 years in addition to the maximum percentage allowable for the current year.

3. Before any increase of rates pursuant to subsection 2 may become effective, the company must give at least 30 days prior notice in writing to:

(a) The regulatory authority; and

(b) Each subscriber to which the increase is applicable.

Sec. 13. *1. A community antenna television company must be allowed to rearrange programs or specific services or discontinue a service included within its basic service without the approval of the regulatory authority if a significant change in circumstances occurs which warrants that rearrangement or discontinuance.*

2. After providing the company with prior notice in writing and the opportunity for a hearing on the matter, the regulatory authority may review the circumstances and determine whether or not the rearrangement or discontinuance of the service is warranted.''.

Amend sec. 14, page 7, line 9, by deleting ''*11 and 12*'' and inserting:

''*2 to 6, inclusive,*''.

Amend sec. 15, page 7, lines 16 and 17, by deleting ''*public service*''.

Amend sec. 15, page 7, line 21, by deleting ''*public service*''.

Amend sec. 15, page 7, line 24, by deleting ''*public service*''.

Amend sec. 16, page 7, line 42, by deleting the period and inserting: ''*if the buildings are separated by not more than one public street or right of way.*

3. As used in this section, ''apartment dwelling'' does not include a hotel, motel, condominium, town house or other similar dwelling.''.

Amend sec. 18, page 8, line 16, by deleting the semicolon and inserting:

''*and the development of new technology;*''.

Amend sec. 18, page 8, by deleting lines 22 through 25 and inserting:

''(e) [Vest authority in the commission to regulate CATV companies generally and their rates, services and operations, in the manner and in accordance with the policies set forth in this chapter.] *Establish guidelines for the regulation of community antenna television companies;*''.

Amend sec. 19, page 8, line 30, by deleting ''*1. Every*''.

Amend sec. 19, page 8, by deleting lines 31 through 34 and inserting:

''*1. A city council may grant a franchise to a community antenna*

television company for the construction, maintenance and operation of a community antenna television system which requires the use of city property or that portion of the city dedicated to public use for the maintenance of cables or wires underground, on the surface or on poles for the transmission of a television picture.

2. A county may grant a franchise to a community antenna television company for the construction, maintenance and operation of a community antenna television system which requires the use of the property of the county or any town in the county or that portion of the county or town dedicated to public use for the maintenance of cables or wires underground, on the surface or on poles for the transmission of a television picture.

3. Except as otherwise provided in NRS 318.1194, the governing body may grant a franchise after it considers the:''.

Amend the bill as a whole by deleting section 20 and inserting: ''Sec. 20. (Deleted by amendment.)''.

Amend sec. 21, page 9, line 6, by deleting ''*local government*'' and inserting ''*regulatory authority*''.

Amend sec. 22, page 9, line 15, by deleting ''*local government*'' and inserting ''*regulatory authority*''.

Amend sec. 22, page 9, line 21, by deleting ''*local government*'' and inserting ''*regulatory authority*''.

Amend sec. 23, page 9, line 25, by deleting ''*license*'' and inserting ''*franchise*''.

Amend sec. 23, page 9, by deleting lines 28 through 30 and inserting: ''tions or orders of the commission made under the authority of this chapter, or for other reasonable cause.] *the terms of the franchise.*''.

Amend sec. 24, page 9, line 37, by deleting ''CATV'' and inserting: ''CATV] *Except as otherwise provided in section 12 of this act, no*''.

Amend sec. 24, page 9, line 38, by deleting: ''CATV service than the rates and'' and inserting: ''[CATV] *basic* service than the rates [and''.

Amend sec. 24, page 9, line 42, after the closed bracket by inserting: ''*approved by the regulatory authority.*

3.''.

Amend sec. 24, page 10, line 3, by deleting ''like'' and inserting ''[like] *its basic*''.

Amend sec. 24, page 10, by deleting lines 8 through 11 and inserting: ''[5. Every CATV company and other person and organization shall obey and comply with the rules, regulations and orders adopted by the commission under the provisions of this chapter.]''.

Amend sec. 25, page 10, line 14, by deleting ''*local government,*'' and inserting ''*regulatory authority,*''.

Amend sec. 26, page 10, by deleting lines 27 and 28 and inserting: ''vision of this chapter [or any rule or regulation promulgated thereunder] is guilty of a misdemeanor.''.

Amend sec. 27, page 12, by deleting lines 18 and 19 and inserting:

''(c) The public service commission of Nevada, after giving notice and affording a hear-''.

Amend the bill as a whole by renumbering sections 28 through 30 as sections 29 through 31 and adding a new section, designated section 28, following section 27, to read as follows:

"Sec. 28. NRS 269.125 is hereby amended to read as follows:

269.125 [1. In addition to the powers and jurisdiction conferred by other laws, the] *The* town board or board of county commissioners [shall have the power and duty to] *may* hold, manage, use and dispose of the real and personal property of any unincorporated town or city and the board of county commissioners shall collect all dues and demands belonging to or coming to the same. No sale of any such property [shall] *may* be made until after it [be] *is* appraised by three appraisers, taxpayers of the town or city, appointed by a district judge of the county, at the actual market value, nor [shall] *may* it be sold for less than three-fourths of [such] *the* appraised value.

[2. Except as provided in NRS 318.1194, the boards of county commissioners shall have power and jurisdiction in their respective counties to grant to any person, company or association, with the approval of the town board involved, a franchise to construct, maintain and operate a television installation system which requires the use of the property of any unincorporated town in the county or that portion of the unincorporated town dedicated to public use for the maintenance of cables or wires underground, on the surface or on poles for the transmission of the television picture. The provisions of chapter 709 of NRS shall not be applicable to any franchise granted under the provisions of this subsection.]".

Amend sec. 29, page 12, by deleting lines 38 through 40 and inserting: "franchise may be granted under [NRS 244.185, 266.305, 268.085 and 269.125 and no certificate of public convenience and necessity may be issued under chapter 711 of NRS,] *NRS 711.090* unless approved by".

Amend sec. 29, page 13, line 1, by deleting: "[franchise or certificate] *license.*" and inserting: "franchise [or certificate]".

Amend sec. 29, page 13, line 3, by deleting "[franchise] *license*" and inserting "franchise".

Amend sec. 30, page 13, by deleting line 12 and inserting:

"Sec. 31. NRS 244.185, 266.305, 268.085, 711.010, 711.095, 711.100, 711.140 and 711.170 are".

Amend the bill as a whole by adding new sections designated sections 32 and 33, following section 30, to read as follows:

"Sec. 32. 1. On or before June 30, 1984, each local government shall grant a franchise to each community antenna television company which:

(a) Has been granted a certificate of public convenience and necessity by the public service commission for an area within the local government's jurisdiction, on or before July 1, 1983;

(b) Has not materially breached any provision of its certificate of public convenience and necessity; and

(c) Has requested a franchise.

2. The franchise granted by the local government pursuant to this section must be based on reasonable terms and conditions.

3. This section does not prohibit a governing body from granting more than one franchise in its jurisdiction after it grants the franchises pursuant to this section.

4. Each certificate of public convenience and necessity issued by the public service commission to a community antenna television company expires upon the granting of a franchise for the same area pursuant to subsection 1 or on June 30, 1984.

Sec. 33. All rates legally charged by a community antenna television company and in effect on July 1, 1983, shall be deemed approved by the regulatory authority and remain in effect until modified pursuant to the provisions of this act.''.

Amend the title of the bill, second line, by deleting ''towns,'' and inserting ''certain''.

Amend the summary of the bill by deleting ''to towns,'' and inserting ''in certain''.

Assemblyman Berkley moved the adoption of the amendment.

Remarks by Assemblyman Berkley.

Amendment adopted.

Assemblyman Jeffrey moved that Assembly Bill No. 412 be placed on the Chief Clerk's desk.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 465.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1051.

Amend the bill as a whole by adding a new section, designated section 1.5, following section 1, to read as follows:

''Sec. 1.5. Chapter 118 of NRS is hereby amended by adding thereto a new section which shall read as follows:

Any landlord who violates any of the provisions of NRS 118.230 to 118.340, inclusive:

1. For the first time, shall pay a civil penalty of not more than $250.

2. For the second time, shall pay a civil penalty of not more than $500.

3. For the third time or more, shall pay a civil penalty of not more than $1,000.''.

Amend sec. 5, page 4, by deleting line 2 and inserting: ''[unoccupied] *abandoned by the tenant* for more than [90] *60* consecutive days and the tenant is''.

Amend the bill as a whole by deleting section 6 and inserting: ''Sec. 6. (Deleted by amendment.)''.

Amend sec. 7, page 5, line 1, by deleting ''[entrance or]'' and inserting ''entrance or''

Amend sec. 8, page 5, line 36, by deleting "[a] *:*" and inserting "a".

Amend sec. 8, page 5, by deleting lines 37 through 39.

Amend sec. 8, page 5, line 40, by deleting "*(2) A*".

Amend sec. 8, page 6, by deleting line 4 and inserting:

"3. [Prohibit or require fees for any meetings held in".

Amend sec. 8, page 6, line 10, after "4." by inserting a closed bracket.

Amend sec. 8, page 6, line 14, by deleting "5." and inserting "[5.] *4.*".

Amend the bill as a whole by renumbering section 15 as section 9 and deleting sections 9 through 14.

Amend sec. 15, page 10, line 11, by deleting "is" and inserting: "and 118.340 are".

Amend the title of the bill to read as follows:

"An Act relating to landlord and tenant; increasing the maximum amount of a lien by a trailer park keeper for unpaid rent or utility bills; changing the requirement for disclosure of the portion of rent which represents property taxes; changing various provisions concerning rental or lease of lots in mobile home parks; replacing certain criminal penalties with civil penalties; and providing other matters properly relating thereto.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

In compliance with a notice given on a previous day, Assemblyman Perry moved that the vote whereby Assembly Bill No. 651 was refused passage be reconsidered.

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 4:54 p.m.

ASSEMBLY IN SESSION

At 4:58 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bergevin moved that Assembly Bill No. 651 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 533.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1034.

Amend the bill as a whole by deleting sections 1 through 4 and section 6 and renumbering section 5 as section 1.

Amend sec. 5, page 4, line 42 after "recover" by inserting: "*up to the limits of his own coverage*".

Amend sec. 5, pages 4 and 5 by deleting line 44 on page 4 and line 1 on page 5 and inserting: "is legally entitled [but which exceeds] *to recover from the owner or operator of the other vehicle to the extent that those damages exceed* the limits of the bodily injury coverage car-".

Amend the title of the bill by deleting: "increasing the minimum required limits of coverage;".

Amend the summary of the bill to read: "Amends provisions regarding underinsured drivers of motor vehicles.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 604.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1038.

Amend section 1, page 1, line 19, by deleting "The" and inserting: "[The] *Except in the case of the elective officers described in subsection 2, the*".

Amend section 1, page 2, line 5, by inserting after the period: "*In the case of the elective county officers described in subsection 2, any contribution made by the public employer on their behalf does not affect their compensation but is an added special payment.*".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 627.

Bill read second time.

The following amendment was proposed by Assemblyman Bourne:

Amendment No. 1049.

Amend section 1, page 1, by deleting line 7 and inserting: "*2. If the application is made by a person who is lawfully using not more than 1,800 gallons of water per day for domestic purposes:*

(a) The state engineer shall issue a permit to appropriate 1,800 gallons of water per day without requiring the applicant to prove the actual amount of water being used; and

(b) The date of priority of the permit is the date that the well was drilled or, if there is no record of that date, the date that the dwelling was first occupied by the applicant.

3. After the state engineer grants a permit pursuant to this section, he''.

Amend the title of the bill, second line, by deleting ''apply for'' and inserting ''obtain''.

Amend the summary of the bill, first line, by deleting ''apply for'' and inserting ''obtain''.

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblyman Bourne.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 162.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1039.

Amend sec. 2, page 2, line 41, after ''inclusive,'' by inserting: ''*and section 3 of this act,*''.

Amend sec. 2, page 3, line 27, by deleting ''*require*'' and inserting ''*requires*''.

Amend the bill as a whole by adding a new section, designated section 3, following section 2, to read as follows: ''Sec. 3. Chapter 590 of NRS is hereby amended by adding thereto a new section which shall read as follows:

Any business or public utility which is subject to the jurisdiction of the public service commission of Nevada is exempt from the provisions of NRS 590.465 to 590.645, inclusive.''.

Amend the title of the bill, second line, after ''thereto;'' and inserting ''providing an exemption;''.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 306.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1050.

Amend the bill as a whole by deleting sections 2 through 6.

Amend the title of the bill to read as follows:

''An Act relating to insurance; authorizing the commissioner of

insurance to investigate any person suspected of engaging in the business of insurance; and providing other matters properly relating thereto.''.

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblyman Bourne.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

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

Assembly in recess at 5:05 p.m.

ASSEMBLY IN SESSION

At 5:06 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, to which was referred Senate Bill No. 412, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 662, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Joint Resolution No. 25, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 277, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 5, 274, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

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

Assembly in recess at 5:07 p.m.

ASSEMBLY IN SESSION

At 5:08 p.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sedway moved that Assembly Bill No. 270 be taken from the General File and returned to the Introducer.

Remarks by Assemblymen Thomas, Sedway, Price, Kovacs and Jeffrey.

Motion lost.

GENERAL FILE AND THIRD READING

Assembly Bill No. 270.

Bill read third time.

Remarks by Assemblymen Kovacs, Thomas, Bourne and Thompson.

Assemblyman Thompson moved that Assembly Bill No. 270 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Thomas, Thompson, Kovacs, Sedway and Jeffrey.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 138, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendments of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 7 C, which is attached to and hereby made a part of this report.

ROBERT E. (BOB) ROBINSON	MARVIN M. SEDWAY
RANDOLPH J. TOWNSEND	CHARLES G. BOURNE
WILBUR FAISS	JAMES A. STONE
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 7 C.

Amend sec. 11, page 7, line 37, by deleting all of the brackets.

Amend sec. 11, page 7, line 42, after "*seller*" by inserting "*of real property*".

Assemblyman Sedway moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 138.

Remarks by Assemblyman Sedway.

Motion carried.

Assemblyman Kovacs moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 5:19 p.m.

ASSEMBLY IN SESSION

At 5:24 p.m.
Mr. Speaker presiding.
Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 662.
Bill read second time.
The following amendment was proposed by Assemblyman May:
Amendment No. 1070.
Amend the bill as a whole by deleting sections 2 through 4 and inserting:
"Sec. 2. *1. Except as provided in subsection 2, in addition to any other tax provided for in this chapter, there is hereby levied an excise tax on motor vehicle fuel of 1 cent per gallon.*
2. The provisions of this section are optional. The board of county commissioners of any county may decline to accept the additional tax by adoption of a resolution passed before July 1, 1983, which must be reconsidered and passed once each year within 60 days before July 1 of each year as long as the board of county commissioners desires so to act. Upon the adoption of such a resolution no tax may be collected.
Sec. 3. *1. The receipts of a tax levied pursuant to section 2 of this act must be allocated monthly by the department to the counties in which the tax payments originate.*
2. The receipts must be apportioned between the county, towns with town boards as organized under NRS 269.016 to 269.019, inclusive, and incorporated cities within the county from the general road fund of the county in the same ratio as the population of such towns or incorporated cities within the county bears to the total population of the county, including the population of the towns and incorporated cities.
3. During the month immediately preceding each January 1 and July 1, the county treasurer of each county in which the tax is imposed shall, when necessary and after a hearing, adopt a regulation which provides for the accurate apportionment of those receipts in the county during the ensuing 6 months.
4. The money apportioned to a participating county pursuant to subsection 2 must be used by that entity solely to repair or restore existing paved roads, streets and alleys, other than those maintained by the Federal Government and this state, by resurfacing, overlaying, resealing or other such customary methods, and may be expended solely to pay independent contractors for that work of repair or restoration, and for no other purpose.
Sec. 4. This act shall become effective:
1. For the purpose of adopting ordinances and resolutions, upon passage and approval.
2. For all other purposes, on July 1, 1983.".
Amend the title of the bill to read:
"An Act relating to motor vehicle fuel tax; imposing an additional tax; authorizing counties to decline to impose the tax; apportioning the

tax; requiring the receipts of the tax to be expended on the repair or restoration of existing paved streets; and providing other matters properly relating thereto.''.

Amend the summary of the bill to read as follows:

''Allows increase of motor vehicle fuel tax by counties for repair of roads.''.

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblymen May, Kovacs and Dini.

Assemblyman May moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 5:33 p.m.

ASSEMBLY IN SESSION

At 5:38 p.m.

Mr. Speaker presiding.

Quorum present.

Assemblyman Kovacs moved that Assembly Bill No. 662 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Senate Bill No. 277.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1035.

Amend section 1, page 2, by deleting lines 11 through 15.

Amend section 1, page 2, line 16, by deleting ''*6.*''.

Amend section 1, page 2, line 27, by deleting ''[6.] *7.*'' and inserting ''6.''.

Amend sec. 2, page 3, by deleting line 21.

Amend sec. 2, page 3, line 22, by deleting ''*(h)*'' and inserting ''*(g)*''.

Amend sec. 2, page 3, line 23, by deleting ''*(i)*'' and inserting ''*(h)*''.

Amend sec. 2, page 3, by deleting lines 25 and 26.

Assemblyman Coffin moved the adoption of the amendment.

Remarks by Assemblyman Coffin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 412.

Bill read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 1047.

Amend the bill as a whole by renumbering sections 2 and 3 as sections 3 and 4 and adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. NRS 293.303 is hereby amended to read as follows:

293.303 1. A person applying to vote may be challenged orally by any registered voter of the precinct or district upon the ground that he is not the person entitled to vote as claimed, or has voted before on the same day, or on any other ground provided for in this Title.

2. If a person is challenged orally, the election board shall tender him the following oath or affirmation: "Do you swear (or affirm) that you are the person whose name is on the affidavit of registration in this precinct register?"

3. If such *a* person refuses to take the oath so tendered, or if any person is otherwise successfully challenged, [such person shall] *the person must* not be issued a ballot, and the officer in charge of the election board register shall write the words "Challenged ....." on the back of [such] *the* person's affidavit of registration.

4. The election board officers shall record the success of the challenge on the challenge list, and the election board officer in charge of the checklist shall indicate next to the name of the challenged person that [such person] *he* was challenged successfully.

5. When a challenge is unsuccessful, the challenged person [shall] *must* be issued a ballot and [shall be] allowed to vote. The election board officers shall record the unsuccessful challenge on the challenge list.

6. In all cases of challenge the decision rests with the election board by majority vote.

7. The election board officers may test the qualifications of the challenged person by asking any relevant question which such officers consider necessary to arrive at a decision.

8. Answers [shall] *must* be given under oath and compared with the statements on the questioned person's affidavit of registration.

9. The election board officers may refuse to allow a challenged person to vote without further proceedings unless he [brings] *:*

(a) Brings registered voters of the county to be examined under oath as to the qualifications of the challenged person [.] *; and*

(b) If a challenge to his residency is made, produces official identification as proof of his residence, such as his driver's license or other official document.

10. When the affidavit of registration of a person applying to vote has an affidavit of challenge attached, the officer in charge of the election board register shall cause [such] *the* challenge to be executed before all the election board officers in the same manner as if [such] *the* person were challenged orally at the polling place. After such execution, the election board shall proceed to decide in the manner provided in this section for oral challenges.".

Amend the bill as a whole by renumbering sections 4 through 6 as sections 6 through 8 and adding a new section, designated section 5, following section 3, to read as follows:

"Sec. 5. NRS 293.517 is hereby amended to read as follows:

293.517 1. Any elector residing within the county may register

by appearing before the county clerk or deputy registrar, completing the affidavit of registration, and giving true and satisfactory answers to all questions relevant to such elector's right to vote. *The county clerk may require a person to submit official identification as proof of residence, such as a driver's license or other official document, before registering him.*

2. The affidavit of registration [shall] *must* be signed and verified by the elector registering.

3. Each [female] elector who is or has been married [shall] *must* be registered under [her] *his* own given or first name, and not under the given or first name or initials of [her husband.] *his spouse.*

4. Any elector who changes his [or her] name by marriage, or otherwise, [shall not be] *is not* eligible to vote unless he [or she] reregisters. If any such change of name occurs after the close of registration, the elector may vote at the ensuing election upon satisfactory proof of registration and subsequent change of name.''.

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Joint Resolution No. 25.

Resolution read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 1058.

Amend the resolution as a whole, page 2, by inserting between lines 4 and 5:

''*Resolved*, That this resolution is not intended, however, to endorse the proposal by the United States Forest Service to designate certain areas of Nevada as wilderness; and be it further''.

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Resolution ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 469, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 590, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 14, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 364, 375, 406, 423, 441, 449, 452, 468.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 364.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 375.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 406.

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

Motion carried.

Senate Bill No. 423.

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

Motion carried.

Senate Bill No. 441.

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

Motion carried.

Senate Bill No. 449.

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

Motion carried.

Senate Bill No. 452.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 468.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 590.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1060.

Amend section 1, page 1, by deleting lines 3 and 4 and inserting: "*If a policy of casualty or property insurance covering real property identifies any vendor, beneficiary or mortgagee as having an insurable interest in the*".

Amend section 1, page 1, line 7, by deleting: "*beneficiary, mortgagee or pledgee*" and inserting "*beneficiary or mortgagee*".

Amend section 1, page 1, line 9 by deleting: "*beneficiary, mortgagee or pledgee*" and inserting "*beneficiary or mortgagee*".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 5.

Bill read third time.

Remarks by Assemblyman Bremner.

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.

Senate Bill No. 274.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Senate Bill No. 274:

YEAS—42.

NAYS—None.

Senate Bill No. 274 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 469.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 469:

YEAS—41.

NAYS—Price.

Senate Bill No. 469 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 28, 58, 164, 240, 292, 370, 388, 400, 401, 410, 420, 503, 504, 511, 525, 550, 573; Senate Bills Nos. 176, 383, 396, 403, 407, 413, 435, 437; Assembly Joint Resolution No. 24; Senate Joint Resolutions Nos. 21, 22, 23.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Candy Bogaert, Mr. Russell Bogaert and Miss Brenda Bogaert.

On request of Assemblyman Humke, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Kristin Felten and Fran Ewald.

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Donna C. Dotherrow.

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Masters David J. Whittemore and Craig A. Laird.

Assemblyman Jeffrey moved that the Assembly adjourn until Sunday, May 15, 1983, at 10:45 a.m.

Motion carried.

Assembly adjourned at 5:54 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND NINETEENTH DAY

CARSON CITY (Sunday), May 15, 1983

Assembly called to order at 10:57 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Douglas C. Thunder.

O Lord, in these waning days and hours of this session, we continue to pray for understanding and courage, for enlightenment and patience. We also pray for stamina and alertness both for these men and women your people have chosen to represent them and for the staffs and assistants who help in so very many ways. Guide and direct them, O Lord, so that especially in these last days the work of this body will benefit all the citizens and will preserve all that we hold important and meaningful for the generations to come. Above all, Lord, keep us from taking ourselves too seriously so that we can always see at least a bit of humor and feel no small amount of joy in everything that we do. Lord, in your mercy, hear our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Brady 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, to which was referred Assembly Joint Resolution No. 32, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 642, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 395, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 491, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 433, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 14, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 575.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 307 and requests a conference, and appointed Senators Hickey, Mello and Jacobsen as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 391 and requests a conference, and appointed Senators Horn, Raggio and Ryan as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day is returning Senate Bill No. 415 in accordance with the provisions of Assembly Resolution No. 15.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 166, 259, 387.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to concur in the Assembly amendment to Senate Bill No. 220.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Redelsperger, Getto and Swain as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 391.

Mr. Speaker appointed Assemblymen Swain, Humke and Zimmer as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 307.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 11:35 a.m.

Assembly in recess at 11:02 a.m.

ASSEMBLY IN SESSION

At 11:50 a.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 467, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which were referred Assembly Bills Nos. 414, 629, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Assembly Bill No. 483, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bilyeu moved that Senate Bill No. 93 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman Bilyeu.

Motion carried.

Assemblyman Berkley moved that Assembly Bill No. 412 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Joint Resolution No. 18.

Motion carried.

Assemblyman Coffin moved that Senate Bill No. 276 be returned from the printer.

Remarks by Assemblyman Coffin.

Motion carried.

Assemblyman Coffin moved that the vote whereby Amendment No. 1017 to Senate Bill No. 276 was adopted be rescinded.

Motion carried.

Assemblyman Schofield moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:54 a.m.

ASSEMBLY IN SESSION

At 12:10 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 367, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Joint Resolution No. 26, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 377, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 270 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman May moved that Assembly Bill No. 367 be placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 93.

Bill read third time.

The following amendment was proposed by Assemblyman Bilyeu:

Amendment No. 1076.

Amend sec. 16, page 10, by deleting line 20 and inserting:

"Sec. 16. NRS 561.344 is hereby amended to read as follows:

561.344 1. The livestock inspection fund is hereby created in the state treasury as a special revenue fund for the use of the department.

2. The following special taxes, fees and other money must be deposited in the livestock inspection fund:

(a) All special taxes on livestock as provided by law, except the tax levied pursuant to NRS 575.070.

(b) Fees and [moneys] *money* collected pursuant to the provisions of NRS 564.010 to 564.150, inclusive.

(c) Fees collected pursuant to the provisions of chapter 565 of NRS.

(d) Unclaimed proceeds from the sale of estrays under the provisions of NRS 569.010 to 569.130, inclusive.

(e) Fees collected under the provisions of NRS 573.010 to 573.190, inclusive.

(f) Fees collected under the provisions of NRS 576.010 to 576.150, inclusive.

(g) Laboratory fees collected for the diagnosis of infectious, contagious and parasitic diseases of livestock, as authorized by NRS 561.305, and as may be necessary under the provisions of chapter 571 of NRS.

3. Expenditures from the livestock inspection fund must be made only for the purposes of carrying out the provisions of chapters 564, 569, 571, 573 and 576 of NRS, and the provisions of this chapter.

4. The interest and income earned on the money in the livestock inspection fund, after deducting any applicable charges, must be credited to the fund.".

Amend sec. 21, page 12, line 21, by deleting "12" and inserting "12, 16".

Amend the title of the bill, second line, after "accounts;" by

inserting: "allowing the interest earned on money in the livestock inspection fund to be credited to the fund;".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bilyeu.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

SECOND READING AND AMENDMENT

Assembly Bill No. 414.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1069.

Amend section 1, page 1, by deleting lines 6 through 9 and inserting:

"*(a) Comparisons of the cost for the insurance required pursuant to NRS 485.185 when purchased from the 25 insurers who offered it at the highest costs, using a method of determination developed by the commissioner and computed as of July 1 of the previous year;*".

Assemblyman Coffin moved the adoption of the amendment.

Remarks by Assemblyman Coffin.

Amendment adopted.

Assemblyman Price moved that Assembly Bill No. 414 be placed on the Chief Clerk's desk.

Motion carried.

Bill ordered reprinted and engrossed.

Assembly Bill No. 467.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1075.

Amend section 1, page 1, by deleting line 7 and inserting: "*within the county in which the taxes are assessed. If there is in the county no bank or other financial institution on which a negotiable check or draft may be drawn, the check or draft may be drawn on any bank in this state.*".

Amend sec. 2, page 1, by deleting line 17 and inserting: "*within the county in which the taxes are assessed. If there is in the county no bank or other financial institution on which a negotiable check or draft may be drawn, the check or draft may be drawn on any bank in this state.*".

Assemblyman Bogaert moved the adoption of the amendment.

Remarks by Assemblyman Bogaert.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 491.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1077.

Amend section 1, page 1, line 2, by deleting "to 19, inclusive," and inserting "and 3".

Amend the bill as a whole by deleting sections 2 through 23 and inserting:

"Sec. 2. *1. The county assessor shall charge a fee of $10 per year for each mobile home which he determines is located in a mobile home park. The charge must be included in the annual tax collected pursuant to NRS 361.561 to 361.5644, inclusive.*

2. The county assessor shall deposit money collected pursuant to subsection 1 in the county treasury for use by the district attorney. The district attorney shall enforce the provisions of NRS 118.230 to 118.340, inclusive, and shall use money collected pursuant to subsection 1 solely for that purpose.

Sec. 3. *1. If any person to whom a board to mediate grievances has directed a subpena refuses to attend, testify or produce evidence which the subpena requires, the board may present a petition to the district court for the judicial district in which the investigation or hearing is being carried on, setting forth that:*

(a) Notice has been given of the time and place at which the person was required to attend, testify or produce evidence;

(b) A subpena has been served on the witness or custodian of the evidence in sufficient time to enable him to comply with its provisions; and

(c) The person has failed or refused to attend, to answer questions, or to produce evidence required by the subpena,

and asking that the court issue an order compelling the person to attend and to testify or produce the evidence specified in the subpena.

2. When the district court receives a petition from the board, it shall order the person to whom the subpena was directed to appear at a time and place fixed by the court in its order, which must be not more than 10 days after the date of the order, and show cause why he should not be held in contempt. A certified copy of the order must be served on the person to whom the subpena was directed.

3. If it appears to the court that the subpena was properly issued by the board and that there is not sufficient reason that the person failed or refused to appear, the court shall order the person to appear at the time and place fixed by the court and to testify or produce the required evidence. If the person fails to comply with the order of the court, he must be punished as for a contempt of court.

Sec. 4. NRS 118.330 is hereby amended to read as follows:

118.330 The landlord [and] *or* the tenant may [agree that] *submit* any controversy relating to any matter arising under NRS 118.230 to 118.340, inclusive, *and sections 2 and 3 of this act,* or under a rental agreement [may be submitted for arbitration.] *to the local board to mediate grievances for mediation and adjudication.*

Sec. 5. NRS 118.335 is hereby amended to read as follows:

118.335 1. The governing body of each city and county [may] *shall* establish a board to mediate *and adjudicate* grievances between landlords and tenants of mobile home parks.

2. The board must include [owners or agents of owners of mobile

home parks, tenants of mobile home parks and members representing the general public who are not directly associated with the manufacturing, selling or leasing of mobile homes.

(a) The members of the board must be selected from lists supplied by representative associations of landlords and tenants where possible.

(b) The board shall elect a chairman from among the members who represent the general public.

3. The board shall:

(a) Hold hearings to attempt to adjust grievances between the landlords and tenants by means of mediation or negotiation. If the board finds that it cannot settle a dispute or one of the parties does not attend the hearing, the board shall recommend any action which it deems necessary for an equitable solution to the dispute to the appropriate enforcement agency.

(b) Notify both parties to a dispute before each hearing is held, but the attendance of both parties at the hearing is not required for the board to make recommendations.

(c) Operate in accordance with any applicable regulations adopted by the manufactured housing division of the department of commerce or the governing body of the city or county.

4.] *:*

(a) One member who is a representative of owners of mobile home parks;

(b) One member who is a tenant in a mobile home park; and

(c) Three members who are representatives of the general public and who are not directly associated with the manufacturing, selling or leasing of mobile homes.

The board shall elect a chairman from among the members who represent the general public.

3. The provisions of chapter 233B of NRS regarding contested cases apply to all grievances submitted to the board for mediation and adjudication.

4. The board may issue subpenas to compel the attendance of witnesses and the production of evidence.

5. The district attorney or the city attorney shall represent the board in all legal matters.

6. The board may:

(a) Recommend changes in local ordinances related to mobile homes, recreational vehicles and mobile home parks.

(b) Recommend measures to promote equity between tenant and landlord.

(c) Encourage the development of mobile home parks to meet the needs of the community.

[5. A report of the recommendations of the board is admissible in court in any subsequent proceeding between the parties arising out of the dispute. Any recommendation in favor of one party creates a rebuttable presumption that the court should enforce it, if it has legal grounds to do so.]''.

Amend the title of the bill to read:

''An Act relating to mobile home parks; authorizing the submission

of disputes between landlords and tenants for adjudication by a board to mediate grievances; requiring formation of such boards; assessing a fee to pay for enforcement of certain provisions; and providing other matters properly relating thereto.''.

Amend the summary of the bill to read: ''Authorizes adjudication of disputes between landlords and tenants of mobile home parks by boards to mediate grievances.''.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 629.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1074.

Amend sec. 2, page 1, line 6, after the period by inserting: ''*An area must not be designated as a school zone if imposing a speed limit of 15 miles per hour would be unsafe because of higher speed limits in adjoining areas.*''.

Amend the bill as a whole by deleting section 3 and inserting:

''Sec. 3. (Deleted by amendment.)''.

Amend sec. 4, page 2, line 2, by deleting ''*along*'' and inserting ''*beside*''.

Amend sec. 4, page 2, by deleting lines 6 through 8.

Amend the title of the bill to read:

''An Act relating to speed limits; establishing a uniform speed limit for school zones; establishing standards for signs used in school zones; requiring certain apparel and devices for use in school zones to be reflective; and providing other matters properly relating thereto.''.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 642.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1057.

Amend section 1, pages 1 and 2 by deleting lines 7 through 19 on page 1 and lines 1 through 9 on page 2 and inserting:

''2. *The sheriff, chief of police or other law enforcement authority may request the written consent of the next of kin of a person who has been reported to him as missing for 30 days or more to obtain the dental records of the missing person from that person's dentist. After receiving the written consent, the sheriff, chief of police or other law enforcement authority shall obtain the dental records from the dentist and forward them and any other relevant information to the investigation division for comparison with the records sent by the coroners. The*

sheriff, chief of police or other law enforcement authority shall inform the investigation division when a missing person has been found.

3. The investigation division shall maintain the records and other information forwarded to it under subsections 1 and 2 for the purpose of comparing the records and otherwise assisting in the identification of dead bodies.''.

Assemblyman Humke moved the adoption of the amendment.

Remarks by Assemblyman Humke.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 32.

Resolution read second time.

The following amendment was proposed by the Committee on Elections:

Amendment No. 1055.

Amend the resolution, page 1, by deleting lines 6 through 15 and inserting: ''[biennialy by the qualified electors of their respective districts,] on the Tuesday next after the first Monday in November [and their term of office shall be two years from the day next after their election.] *of even-numbered years by the qualified electors of their respective districts. The legislature shall provide by law for the allotment of the members elected at the general election in 1986 into classes whose terms expire on the day next after the general elections in 1988 and 1990 respectively. These classes must be as nearly equal in number as possible, and thereafter the terms of office for members of the assembly shall be 4 years from the day next after their election, except that upon any decennial reapportionment of the legislature, initial terms of 2 years may be provided to preserve the equality of the classes as nearly as possible. When any county or district is entitled to elect two or more members of the assembly, they must be apportioned, as nearly as possible, equally between the classes.*

[Sec:] *Sec.* 4. Senators shall be chosen at the same [time] *times* and places as members of the Assembly by the qualified electors of their respective districts . [, and their term of Office shall''.

Assemblyman Ham moved the adoption of the amendment.

Remarks by Assemblyman Ham.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

Senate Bill No. 395.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1082.

Amend the bill as a whole by deleting section 10 and inserting:

''Sec. 10. A governmental agency which obtains a proprietary program or the data stored in a computer must keep the program or data confidential. The governmental agency may only use the program or data for the purpose for which it was obtained, and may not release the program or data without the prior written consent of the owner.''.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 433.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1067.

Amend sec. 2, page 3, line 13, by deleting "prior to" and inserting "before".

Amend sec. 2, page 3, line 15, before "personal" by inserting "real or".

Amend sec. 2, page 3, line 33, after "*costs*" by inserting ", *including attorney's fees,*".

Amend the bill as a whole by adding a new section, designated section 3, following section 2, to read as follows:

"Sec. 3. Section 2 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Getto moved the adoption of the amendment.

Remarks by Assemblyman Getto.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 276.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1017.

Amend the bill as a whole by renumbering sections 1 through 7 as sections 2 through 8 and adding a new section, designated section 1, preceding section 1, to read as follows:

"Section 1. NRS 366.221 is hereby amended to read as follows:

366.221 1. No special fuel user's license may be required of the following classes of special fuel users:

(a) Operators of motor vehicles who make occasional trips into this state for the purpose of service or repair.

(b) Operators of house coaches as defined in NRS 484.067.

(c) Operators of motor vehicles having an unladened weight of not more than 6,000 pounds.

(d) Operators of unladened motor vehicles purchased in this state for the trip from the point of delivery to the state boundary.

(e) Operators of motor vehicles who make occasional trips into or across this state for nonprofit or eleemosynary purposes.

(f) Operators of motor vehicles used in the production of motion pictures, including films to be shown in theaters and on television, industrial, training and educational films, commercials for television and video discs and tapes.

2. Any special fuel purchased in this state by any person exempt

from licensing under subsection 1 must be purchased from a licensed special fuel dealer, who shall collect the tax on any special fuel delivered into the vehicle's fuel supply tank.

3. The department may adopt regulations concerning the application and administration of this section.''.

Amend the bill as a whole by adding a new section, designated section 9, following section 7, to read as follows:

''Sec. 9. NRS 706.736 is hereby amended to read as follows:

706.736 1. Except the provisions of subsection 4 of NRS 706.171, of NRS 706.281, and of NRS 706.457 and 706.458, none of the provisions of NRS 706.011 to 706.791, inclusive, *and section 5 of this act* apply to:

(a) The transportation by a contractor licensed by the state contractor's board of his own equipment in his own vehicles from job to job.

(b) Any person engaged in transporting his own personal effects in his own vehicle, but the provisions of this subsection do not apply to any person engaged in transportation by vehicle of property sold or to be sold, or used by him in the furtherance of any commercial enterprise [,] *other than as provided in paragraph (e),* or to the carriage of any property for compensation.

(c) Special mobile equipment.

(d) The vehicles of a contractor licensed by the state contractors' board when used in actually constructing or reconstructing a highway or road or in transporting necessary materials between the site of that work and the sources of material approved by the department of transportation for that particular work.

(e) The vehicle of any person, when that vehicle is being used in the production of motion pictures, including films to be shown in theaters and on television, industrial training and educational films, commercials for television and video discs and tapes.

2. Any person who operates under a claim of an exemption provided by this section but who is found to be operating in a manner not covered by any of those exemptions immediately becomes liable, in addition to any other penalties provided in this chapter, for the fee appropriate to his actual operation as prescribed in this chapter, computed from the date when that operation began.''.

Amend the title of the bill, fourth line, after ''vehicles;'' by inserting: ''exempting vehicles used in the production of motion pictures from certain provisions;''.

Assemblyman Fay moved the adoption of the amendment.

Remarks by Assemblyman Fay.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 377.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1087.

Amend section 1, page 2, by deleting lines 10 and 11 and inserting:

"*transferring of an employee into a position which requires that employee to be immediately available on a 24-hour basis.*".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 270 and Assembly Joint Resolution No. 18 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 270.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1079.

Amend sec. 8, page 3, line 37, by deleting the bracket.

Amend sec. 8, page 3, line 40, by deleting the bracket.

Amend sec. 8, page 3, line 42, be deleting the bracket.

Amend sec. 8, page 3, line 43, by deleting: "of] *(h) Injecting*" and inserting "of".

Amend sec. 8, page 4, line 1, by deleting "[(j)] *(i)*" and inserting "(j)".

Amend sec. 8, page 4, line 3, by deleting "[(k)] *(j)*" and inserting "(k)".

Amend sec. 8, page 4, by deleting lines 4 and 5 and inserting: "of health or of the board of naturopathic [healing.] *medicine.*".

Amend sec. 8, page 4, line 6, by deleting "*(k)*" and inserting "(l)".

Amend sec. 8, page 4, line 10, by deleting "[(m)] *(l)*" and inserting "(m)".

Amend sec. 8, page 4, by deleting lines 12 and 14 and inserting: "healing art for which he is not licensed [.] *or representing that he practices any other healing art while he practices pursuant to this chapter.*".

Amend sec. 8, page 4, line 15, by deleting "*(m)*" and inserting "(n)".

Amend sec. 8, page 4, line 18, by deleting "[(o)] *(n)*" and inserting "(o)".

Amend the bill as a whole by adding a new section, designated section 34.5, to read as follows:

"Sec. 34.5. NRS 454.00958 is hereby amended to read as follows:

454.00958 "Practitioner" means:

1. A physician, dentist, veterinarian , *naturopathic physician* or podiatrist who holds a valid license to practice his profession in this state.

2. A pharmacy, hospital or other institution licensed or registered

to distribute, dispense, conduct research with respect to or to administer a dangerous drug in the course of professional practice in this state.

3. When relating to the prescription of poisons, dangerous drugs and devices, a registered nurse who holds a certificate from the state board of nursing and a certificate from the state board of pharmacy permitting him so to prescribe.''.

Assemblyman Thomas moved the adoption of the amendment.

Remarks by Assemblyman Thomas.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Joint Resolution No. 18.

Resolution read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1041.

Amend the resolution as a whole, page 1, by deleting line 7 and inserting: ''use its forces in Pakistan, Iran, Yugoslavia and the Western Hemisphere; and''.

Amend the resolution as a whole, page 1, by deleting line 10 and inserting:

''WHEREAS, The United States and its allies in the free world are the only world powers which can stop''.

Amend the resolution as a whole, page 1, by deleting lines 13 and 14 and inserting: ''sary to achieve the adoption of a national strategy of peace by strengthening the United States; now, therefore, be it''.

Amend the resolution as a whole, page 2, by deleting lines 1 and 2 and inserting: ''the United States to adopt a national strategy to:''.

Amend the resolution as a whole, page 2, by deleting line 6 and inserting: ''Union and its satellites;''.

Amend the resolution as a whole, page 2, line 16, after ''8.'' by inserting: ''Control wasteful expenditures for the defense of the United States;

9.''.

Amend the resolution as a whole, page 2, line 18, by deleting ''9.'' and inserting ''10.''.

Amend the title of the resolution, second line, by deleting ''through strength.'' and inserting: ''by strengthening the United States.''.

Amend the summary of the resolution, first line, by deleting ''through strength,'' and inserting: ''by strengthening United States.''.

Assemblyman Bogaert moved the adoption of the amendment.

Remarks by Assemblyman Bogaert.

Amendment adopted.

Resolution ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 533.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 533:

YEAS—42.
NAYS—None.

Assembly Bill No. 533 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 12:37 p.m.

ASSEMBLY IN SESSION

At 12:38 p.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 590.
Bill read third time.
Remarks by Assemblymen Jeffrey and Thomas.
Roll call on Assembly Bill No. 590:

YEAS—40.
NAYS—Stone.
Not voting—Humke.

Assembly Bill No. 590 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 604.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Assembly Bill No. 604:

YEAS—42.
NAYS—None.

Assembly Bill No. 604 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Redelsperger moved that Assembly Bill No. 412 be taken from its position on the General File and placed at the bottom of the General File.

Motion carried.

Assemblyman May moved that Assembly Bill No. 662 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman May.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 534, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were re-referred Assembly Bills Nos. 86, 140; Senate Bill No. 184, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Senate Bills Nos. 410, 426, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 55—Directing the legislative commission to study the mining laws of Nevada.

Assemblyman Kovacs moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

By the Committee on Legislative Functions:

Assembly Concurrent Resolution No. 56—Directing the legislative commission to study the promotion of economic development and tourism.

Assemblyman Kovacs moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

By Assemblymen Nicholas, Dini, Getto, Bergevin and Kovacs:

Assembly Concurrent Resolution No. 57—Encouraging purchase of local agricultural products.

Assemblyman Nicholas moved the adoption of the resolution.

Remarks by Assemblyman Nicholas.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 670—An Act relating to the Western Interstate Commission for Higher Education; reducing the residency requirement for eligibility for contract places; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 627 be taken from the General File and re-referred to the Committee on Government Affairs.

Remarks by Assemblyman Dini.

Motion carried.

Assemblyman Stone moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:48 p.m.

ASSEMBLY IN SESSION

At 12:53 p.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 662.

Bill read second time.

The following amendment was proposed by Assemblyman May:

Amendment No. 1089.

Amend the bill as a whole by deleting sections 2 through 4 and inserting:

"Sec. 2. *1. Except as provided in subsection 2, in addition to any other tax provided for in this chapter, there is hereby levied an excise tax on motor vehicle fuel of 1 cent per gallon.*

2. The provisions of this section are optional. The board of county commissioners of any county may decline to accept the additional tax by adoption of a resolution passed before July 1, 1983, which must be reconsidered and passed once each year within 60 days before July 1 of each year as long as the board of county commissioners desires so to act. Upon the adoption of such a resolution no tax may be collected.

Sec. 3. *1. The receipts of a tax levied pursuant to section 2 of this act must be allocated monthly by the department to the counties in which the tax payments originate.*

2. The receipts must be apportioned between the county, towns with town boards as organized under NRS 269.016 to 269.019, inclusive, and incorporated cities within the county from the general road fund of the county in the same ratio as the population of such towns or incorporated cities within the county bears to the total population of the county, including the population of the towns and incorporated cities.

3. During the month immediately preceding each January 1 and July 1, the county treasurer of each county in which the tax is imposed shall, when necessary and after a hearing, adopt a regulation which provides for the accurate apportionment of those receipts in the county during the ensuing 6 months.

4. The money apportioned to a participating county pursuant to subsection 2 must be used by that entity solely to repair or restore existing paved roads, streets and alleys, other than those maintained by the Federal Government and this state, by resurfacing, overlaying, resealing or other such customary methods.

Sec. 4. This act shall become effective:

1. For the purpose of adopting ordinances and resolutions, upon passage and approval.

2. For all other purposes, on July 1, 1983.''.

Amend the title of the bill to read:

''An Act relating to motor vehicle fuel tax; imposing an additional tax; authorizing counties to decline to impose the tax; apportioning the tax; requiring the receipts of the tax to be expended on the repair or restoration of existing paved streets; and providing other matters properly relating thereto.''.

Amend the summary of the bill to read as follows: ''Allows increase of motor vehicle fuel tax by counties for repair of roads.''.

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblymen May, Kovacs, Fay, Bergevin, Nevin, Beyer, Getto and Bourne.

Asssemblymen Fay, Bogaert and Malone requested a roll call on Assemblyman May's motion.

Roll call on Assemblyman May's motion:

YEAS—21.

NAYS—Banner, Beyer, Bourne, Brady, Chaney, Collins, DuBois, Fay, Francis, Ham, Humke, Jeffrey, Kovacs, Malone, Nevin, Nicholas, Price, Sedway, Stone, Thomas, Thompson—21.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

Assemblyman Kovacs moved that Assembly Bill No. 662 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Kovacs.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 86, 140 and 534 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 306 and Senate Joint Resolution No. 25 be taken from their positions on the General File and placed at the bottom of the General File.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 184.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1068.

Amend the bill as a whole by deleting section 5.

Amend the title of the bill, third line, by deleting: "containing an appropriation;".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 86.

Bill read third time.

The following amendment was proposed by Assemblyman Nicholas:

Amendment No. 1032.

Amend section 1, page 2, line 10, by deleting: "*shall meet at least*" and inserting: "*may meet no more than*".

Amend section 1, page 2, by deleting lines 15 through 19 and inserting "*duties.*".

Assemblyman Nicholas moved the adoption of the amendment.

Remarks by Assemblyman Nicholas.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 140.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1040.

Amend sec. 3, page 2, by deleting lines 14 and 15 and inserting: "two new sections to be designated as sections 18.2 and 47.5, respectively, which shall immediately follow sections 18.1 and 47.1, respectively, and shall read respectively as follows:"

Amend sec. 3, page 2, between lines 17 and 18, by inserting:

"Sec. 47.5. *1. Except as provided in subsections 2 and 3, for the purpose of computing the tax on the sale of a vehicle by a seller who is not required to be registered with the department, each vehicle must be depreciated according to the following schedule:*

Age	*Percentage of Initial Value*
New	100 percent
1 year	85 percent
2 years	75 percent
3 years	65 percent
4 years	60 percent
5 years	55 percent
6 years	50 percent
7 years	45 percent

8 years	40 percent
9 years	35 percent
10 years	30 percent
11 years	25 percent
12 years	20 percent
13 years	15 percent
14 years or more	10 percent

2. The amount of depreciation calculated under subsection 1 must be rounded to the nearest whole multiple of $20.

Amend sec. 3, page 3, line 15, by deleting: "*schedules in NRS 371.060.*" and inserting: "*schedule in section 47.5 of this act.*".

Amend sec. 9.3, page 7, by deleting line 19 and inserting: "the provisions set forth as sections 9.4 and 9.5 of this act.".

Amend sec. 9.3, page 7, by deleting line 20 and inserting:

"Sec. 9.4. "*Vehicle*" *has the meaning ascribed to it in NRS 482.135.*

Sec. 9.5. *1. Except as provided in subsections 2 and 3, for the purpose of computing the tax on the sale of a vehicle by a seller who is not required to be registered with the department, each vehicle must be depreciated according to the following schedule:*

Age	*Percentage of Initial Value*
New	100 percent
1 year	85 percent
2 years	75 percent
3 years	65 percent
4 years	60 percent
5 years	55 percent
6 years	50 percent
7 years	45 percent
8 years	40 percent
9 years	35 percent
10 years	30 percent
11 years	25 percent
12 years	20 percent
13 years	15 percent
14 years or more	10 percent

2. The amount of depreciation calculated under subsection 1 must be rounded to the nearest whole multiple of $20.

Amend sec. 9.6, page 7, line 23, by deleting "*9.3*" and inserting "*9.4*".

Amend sec. 17, page 12, by deleting "Chapter" and inserting:

"1. Chapter".

Amend sec. 17, page 12, between lines 32 and 33, by inserting: "2. Section 13 of chapter 187, Statutes of Nevada 1983, is hereby amended to read as follows:

Sec. 13. NRS 374.020 is hereby amended to read as follows:

374.020 Except where the context otherwise requires, the definitions given in NRS 374.025 to [374.105,] *374.100,* inclusive, and section 9.4 of Assembly Bill No. 140 of this session, govern the construction of this chapter.

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblymen Bremner and Kovacs.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stone moved that Assembly Bill No. 412 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 534.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1062.

Amend section 1, page 1, line 5, by deleting "$40,000,000" and inserting "$20,000,000".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblymen Bremner and Nicholas.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 483.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 483:

YEAS—42.

NAYS—None.

Assembly Bill No. 483 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assemblyman Dini moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 1:07 p.m.

ASSEMBLY IN SESSION

At 1:14 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 26.
Resolution read third time.
Remarks by Assemblyman Joerg.
Roll call on Assembly Joint Resolution No. 26:

YEAS—42.
NAYS—None.

Assembly Joint Resolution No. 26 having received a constitutional majority, Mr. Speaker declared it passed.
Resolution ordered transmitted to the Senate.

Assembly Bill No. 367.
Bill read third time.
Remarks by Assemblymen Getto, Chaney and Fay.
Roll call on Assembly Bill No. 367:

YEAS—33.
NAYS—Bilyeu, Chaney, Collins, Dini, DuBois, Kovacs, Sedway, Stone—8.
Not voting—Bourne.

Assembly Bill No. 367 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 109, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was re-referred Assembly Bill No. 627, has had the same under consideration, and begs leave to report the same back without recommendation.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 627 be placed at the top of the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 627.
Bill read third time.
Remarks by Assemblymen Bourne, Craddock, Dini and Bilyeu.

Assemblyman Nevin requested that the following remarks be entered in the Journal:

ASSEMBLYMAN BOURNE:

Mr. Speaker, I want to thank you very much and thank every member of this body for reconsideration of Assembly Bill No. 627. Assembly Bill No. 627, in its initial form and in the reprint, the intent was to protect people who have domesticated wells in Washoe County, and especially in my district. My district comprises approximately 85 percent of those people with that type of a well having to depend on water in that area. Most of it is in a designated basin. In a designated basin we are required to, it is my understanding, as people, as a legislative body, and the state is also required to take a real look at any new construction that is granted in a designated area to take into consideration the people that have those wells. The problem that we have is that we get wells that are dropping 10 and 15 feet a year because we cannot get any kind of concurrence on the rapid growth that is anticipated in that area. This body in 1981 passed a lovely piece of legislation. If you will look on page 2 of the amended version of this bill, I will read verbatim. Line 16, eliminate the first line and lets go.—The state engineer may require a plugging of such a well that is drilled on or after July 1, 1981, at a time not sooner than one year after the water can be furnished to the site by a political subdivision of this state or a public utility whose rates and services are regulated by the Public Service Commission, but only if the charge for making the connection to the service is less than $200. Will it answer the question for those wells drilled after July 1, 1981? We have not answered the problem on those wells drilled prior to that time. In not answering that question we have put ourselves into a real problem. The real problem is, what protection is afforded under the law to those individuals who have put those wells in. Some of them are living on limited amounts of income, and they will be facing, not this session but the next session, and possibly this session, a regulatory water agency being established in Washoe County that will have the ability, either now or later, to assess those people to bring water in, not only to the areas that are really suffering because they don't have the water now, and they are losing their water, but also into areas that have good wells. It would give those people the opportunity to trade those water rights to hook into that system. And if that was mandated by this legislation through amendment I would have no problem. It is not my desire in this bill in any way, shape or form, to try and circumvent any construction. It is not my intent in this bill to circumvent any water law. It is my intent in this bill to give those people the opportunity to protect their investment, to offer up that water, to get it to that public authority, thereby granting them the ability to do the expansion and construction in the area, but to be done in a rational manner. I would urge a "do pass" on this. Thank you.

ASSEMBLYMAN CRADDOCK:

Mr. Speaker, I realize that there is a tremendous problem relating to the water services in certain basins in the state. But there is a real hazard in the application of Assembly Bill No. 627. If you have a situation where overdraft is occurring and the engineer must approve permits without limiting the amount of the withdrawal and plugging of wells is, in fact, prohibited, and it is under this bill, as I understand it, then you are inviting a devastating effect. You are inviting, and probably in some instances maybe even assuring, that you will contaminate the aquapura from which these people are being served. Now follow through. If you have an area where the sur is literally bubbling up through the ground then you cannot plug a well, and you continue to overdraft, you are insuring that the aquapura will become contaminated and become a health hazard and a number of other problems may manifest. I thought that some of the members of the legislature that have not been involved in that issue as much as I have should be aware of that fact.

ASSEMBLYMAN BOURNE:

If those members of this body would have listened to one comment I made, I would be more than happy when this regulatory body comes in, regulating the water of Washoe County, that it be mandated by this legislature to turn those water rights over to that regulatory body with no questions asked. Not to give the people the opportunity to keep those wells and to circumvent the system. That is not my intent. I believe in what you said, Mr. Craddock, and my desire would be that. I have not tried to change anybody's mind regarding that issue. We have had sewage and water problems. We have had some

problems in the area with the exact one you talked about in Washoe County. I know it needs to be addressed, and I have that same desire. But I also have the desire to protect the rights of those in my district that are suffering from what I think is an antiquated system with little or no thought whatsoever for their welfare.

ASSEMBLYMAN DINI:

Mr. Speaker, first I want to apologize to Mr. Bourne for yanking that bill when I did. I didn't know he was not in the room. I welcome a debate with him on water any time. I must stand in opposition to this bill. I have done a great deal of work in the water right laws in this state since I have served in this body. The legislature felt strong enough about me to send me to a water rights school in Arizona a couple of years ago. We had a study about three years ago that I was chairman of. One of the things that was brought out in that study statewide was that the people do not want to have to register domestic wells, statewide. Going this way, just in Washoe County, we are starting to open the door to registration of wells statewide. Secondly, a few years ago in Clark County, and the only place in the State of Nevada that you can get a temporary well permit is in Clark County, and the law was passed in the thirties because they didn't have their water out of the dam down there into the Vegas water system yet. They granted temporary permits to the people in Las Vegas. Now when the water is available, piped to them, being paid for by the water users in that valley, supported by state supported bonds, they refuse to hook onto the water system. That law provided that the state engineer could order them plugged when the water table started going down and you started having problems in sanitation, and this and that. He could order them plugged and you had to hook up to the water system. They went to court and beat the case in court. Now they are in complete chaos in Clark County over that because you can't close any wells down, the water table is dropping, the valley is sinking. The same thing will happen to you in Washoe County that has happened in Clark County if you go through with this procedure. Let's protect the people in the State of Nevada. Let's not start an erosion of our state engineer's power to regulate water in this state. The best thing for us to do is leave these laws alone. They have worked well. Nevada has model laws on the books nationwide. The appropriation doctrine in Nevada is so much better than most of the surrounding states that it can't even be compared. I don't believe we want to take one inch of power away from the state engineer, and there is a bill to regulate water.

ASSEMBLYMAN BOURNE:

Mr. Speaker, Mr. Dini's comments are well taken. One comment that I might make in that regard, though. If you look at state water law you will find out that the engineer has the option to grant patented water rights to anybody who applies for 1801 gallons. My contention is, what is the big difference between 1800 and 1801. Even with my rudimentary knowledge of addition and subtraction, it's still only one gallon.

ASSEMBLYMAN BILYEU:

Mr. Speaker, through you to Mr. Bourne, I am sympathetic with the problem that the people have. Very sympathetic. But language in 2(a) disturbs me a little bit, amongst other things. 2(a) essentially says that you are going to grant them a water right and you are going to do so without requiring the applicant to prove the actual amount of water that he uses. Now, it may well be, and I know this is directed at one particular section in Washoe County, but it has application throughout. What do you do with a situation where a person gets a permit for a domestic well and the state engineer effectively, if my understanding of this language is correct, cannot monitor the outflow from that well. Would that, perhaps, cause a severe drawdown problem?

ASSEMBLYMAN BOURNE:

Mr. Bilyeu, if I might take the liberty, new wells to be drilled would not be covered under this anyway. Existing wells are already there. The state agency has never monitored the 1800 gallons, more or less, that they are using now, and it is my contention that I want to stop that problem. There is a chance that some amendments may make this plausible. And if the Speaker would entertain a motion at this time, I move that Assembly Bill No. 627 be moved to the Chief Clerk's desk for consideration at a later time with potential amendments.

Assemblyman Bourne moved that Assembly Bill No. 627 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bourne.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 15, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 53.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 363, 456, 470.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 207 which was returned from enrollment for the purpose of effecting a technical amendment.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 391, consisting of the undersigned members, has met, and reports that:

No decision was reached, and recommends the appointment of a second Committee on Conference, to consist of three members, for the further consideration of the bill.

NICHOLAS J. HORN	KENNETH K. REDELSPERGER
WILLIAM J. RAGGIO	VIRGIL M. GETTO
BOB RYAN	COURTENAY SWAIN
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Redelsperger moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 391.

Remarks by Assemblyman Redelsperger.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Price, Joerg and Marvel as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 391.

SECOND READING AND AMENDMENT

Senate Bill No. 109.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1072.

Amend the bill as a whole by adding new sections designated as sections 2 through 5, following section 1, to read as follows:

"Sec. 2. NRS 454.213 is hereby amended to read as follows:

454.213 A drug or medicine referred to in NRS 454.181 to 454.371, inclusive, may be administered by:

1. A practitioner.
2. A registered nurse licensed to practice professional nursing or

licensed practical nurse, at the direction of a physician, or pursuant to a chart order of individual doses:

(a) From an original container which has been furnished as floor or ward stock;

(b) From a container dispensed by a registered pharmacist pursuant to a prescription; or

(c) Furnished by a practitioner.

3. A physician's assistant at the direction of his supervising physician.

4. An advanced emergency medical technician-ambulance, at the direction of a physician or registered nurse as provided in NRS 450B.197.

5. A respiratory therapist, at the direction of a physician.

6. A medical student or student nurse in the course of his studies at an approved college of medicine or school of professional or practical nursing, at the direction of a physician and:

(a) In the presence of a physician or a registered nurse; or

(b) Under the supervision of a physician or a registered nurse if the student is authorized by the college or school to administer the drug or medicine outside the presence of a physician or nurse.

A medical student or student nurse may administer a dangerous drug in the presence or under the supervision of a registered nurse alone only if the circumstances are such that the registered nurse would be authorized to administer it personally.

7. A medical intern in the course of internship.

8. A registered nurse who holds a certificate from the state board of nursing and a certificate from the state board of pharmacy permitting him to administer dangerous drugs.

9. A person designated by the director of the department of prisons for the purpose of executing a person who has been sentenced to death.

Sec. 3. NRS 454.221 is hereby amended to read as follows:

454.221 1. Any person who furnishes any dangerous drug except upon the prescription of a practitioner is guilty of a gross misdemeanor, unless the dangerous drug was obtained originally by a legal prescription.

2. The provisions of this section do not apply to the furnishing of any dangerous drug by:

(a) A practitioner to his own patients as provided in NRS 454.301;

(b) A physician's assistant if authorized by the board;

(c) A registered nurse while participating in a public health program approved by the board, or a registered nurse who holds a certificate from the state board of nursing and a certificate from the state board of pharmacy permitting him to possess and administer or dispense dangerous drugs; or

(d) A manufacturer or wholesaler or pharmacy to each other or to a practitioner or to a laboratory under sales and purchase records that correctly give the date, the names and addresses of the supplier and the buyer, the drug and its quantity.

(e) A hospital pharmacy or a pharmacy so designated by a district

health officer to the holder of a permit for the operation of an ambulance service or an air ambulance service to stock ambulances or replenish the stock.

(f) A prison pharmacy to a person designated by the director of the department of prisons to administer a lethal injection to a person who has been sentenced to death.

Sec. 4. The provisions of this act apply to all executions after July 1, 1983. If a death warrant specifies a different method of execution than injection of a lethal drug, the district attorney may apply to the court which issued the warrant for an order modifying the warrant to specify the proper method of execution.

Sec. 5. Section 3 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Amend the title of the bill, second line, after ''lethal injection;'' by inserting: ''authorizing the director of the department of prisons to designate a person to administer the injection;''.

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

The following amendment was proposed by Assemblyman Price:

Amendment No. 786.

Amend section 1, page 1, line 3, by deleting ''[the administration'' and inserting ''the [administration''.

Amend section 1, page 1, by deleting line 8 and inserting:

''3.] *use of rifle fire.*''.

Amend section 1, page 1, by deleting lines 11 and 12.

Amend section 1, page 1, line 13, by deleting ''*(b)*'' and inserting ''*(a)*''.

Amend section 1, page 1, line 14, by deleting ''*(c)*''and inserting ''*(b)*''.

Amend the title of the bill, second line, by deleting ''lethal injection;'' and inserting: ''the use of rifle fire;''.

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblymen Price, Stone, Fay, Swain and Nevin.

Assemblymen Price, Brady, and Coffin requested a roll call on Assemblyman Price's motion.

Roll call on Assemblyman Price's motion:

YEAS—12.

NAYS—Berkley, Bilyeu, Bogaert, Bourne, Bremner, Chaney, Collins, Craddock, DuBois, Fay, Francis, Getto, Humke, Jeffrey, Joerg, Kerns, Malone, Nevin, Nicholas, Perry, Redelsperger, Sader, Sedway, Stone, Swain, Thomas, Zimmer, Mr. Speaker—28.

Absent—Banner.

Not voting—Dini.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 363.

Assemblyman Sader moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 456.

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

Motion carried.

Senate Bill No. 470.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Price moved that the vote whereby Senate Bill No. 415 was passed be rescinded.

Remarks by Assemblyman Price.

Motion carried.

Assemblyman Price moved that Senate Bill No. 415 be taken from the General File and re-referred to the Committee on Commerce.

Remarks by Assemblyman Price.

Motion carried.

Assemblyman May moved that Assembly Bill No. 662 be taken from the Chief Clerk's desk and re-referred to the Committee on Taxation.

Motion carried.

Assemblyman May moved that Assembly Bill No. 651 be taken from the Chief Clerk's desk and re-referred to the Committee on Taxation.

Motion carried.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Joint Resolution No. 11, consisting of the undersigned members, has met, and reports that:

No decision was reached, and recommends the appointment of a second Committee on Conference, to consist of three members, for the further consideration of the resolution.

HELEN A. FOLEY	JAMES W. SCHOFIELD
NICHOLAS J. HORN	BYRON (BILL) BILYEU
BOB RYAN	DANNY L. THOMPSON
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Redelsperger moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Joint Resolution No. 11.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Redelsperger, Dini and Sader as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Joint Resolution No. 11.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 4 p.m.

Assembly in recess at 1:49 p.m.

ASSEMBLY IN SESSION

At 4:04 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Education, to which was referred Senate Concurrent Resolution No. 32, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

ROBERT G. CRADDOCK, *Chairman*

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 334, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROBERT G. CRADDOCK, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 15, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 136.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Coffin moved that the vote whereby Senate Bill No. 207 was passed be rescinded.

Motion carried.

Senate Concurrent Resolution No. 32.

Assemblyman Craddock moved the adoption of the resolution.

Remarks by Assemblyman Craddock.

Resolution adopted unanimously.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 15, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 18, 24, 31.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 330, 342, 356, 404.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 48, 122, 197, 224, 248, 270.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 2, 29, 42.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 136.

Assemblyman Brady moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

Senate Bill No. 330.

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

Motion carried.

Senate Bill No. 342.

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

Motion carried.

Senate Bill No. 356.

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

Motion carried.

Senate Bill No. 404.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 2.

Assemblyman Brady moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 29.

Assemblyman Brady moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 42.

Assemblyman Brady moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 584, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 436, 438, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 410.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 410:

YEAS—42.

NAYS—None.

Senate Bill No. 410 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 426.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 426:

YEAS—42.

NAYS—None.

Senate Bill No. 426 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 306.

Bill read third time.

Remarks by Assemblyman Bourne.

Roll call on Senate Bill No. 306:

YEAS—42.

NAYS—None.

Senate Bill No. 306 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 25.
Resolution read third time.
Remarks by Assemblyman Thompson.
Roll call on Senate Joint Resolution No. 25:
YEAS—42.
NAYS—None.

Senate Joint Resolution No. 25 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Resolution ordered transmitted to the Senate.

Senate Bill No. 207.
Bill read third time.
Remarks by Assemblyman Coffin.
Roll call on Senate Bill No. 207:
YEAS—42.
NAYS—None.

Senate Bill No. 207 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 436.
Bill read third time.
Remarks by Assemblyman Bilyeu.
Assemblyman Bilyeu moved that Senate Bill No. 436 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Bilyeu.
Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Berkley moved that Assembly Bill No. 412 be taken from the Chief Clerk's desk and placed on the General File.
Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 438.
Bill read third time.
Remarks by Assemblyman Bilyeu.
Roll call on Senate Bill No. 438:
YEAS—42.
NAYS—None.

Senate Bill No. 438 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 412.

Bill read third time.

The following amendment was proposed by Assemblyman Bourne:

Amendment No. 1098.

Amend sec. 6, page 2, line 1, after "*1.*" by inserting: "*In counties having a population of 100,000 or more, the commission.*

2. In all other counties:

(a)".

Amend sec. 6, page 2, line 3, by deleting "2." and inserting "*(b)*".

Amend sec. 11, page 3, by deleting lines 17 through 25 and inserting: "*and sections 12 and 13, of this act, do not apply to counties having a population of 250,000 or more.*

2. In counties having a population of 100,000 or more but less than 250,000, the commission shall regulate the basic service of all companies in the county pursuant to NRS 711.110 to 711.160, inclusive, and sections 12 and 13 of this act.

3. Except as provided in this subsection, in all other counties the gov-".

Amend sec. 11, page 3, by deleting lines 29 and 30 and inserting: "*of this act. The governing body may relinquish its regulatory power over the*".

Amend sec. 11, page 3, by deleting line 35 and inserting: "power.

4. Companies which are regulated by the commission pursuant to subsections 2 or 3 are under the jurisdiction of the commis-".

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblyman Bourne.

Amendment lost.

The following amendment was proposed by Assemblymen Redelsperger and Stone:

Amendment No. 1112.

Amend sec. 31, page 11, line 10, after "1." by inserting: "From July 1, 1983, through June 30, 1984, a community antenna television company shall not provide basic services to subscribers in any area for which it has not been granted either:

(a) A certificate of public convenience and necessity by the public service commission; or

(b) A franchise pursuant to subsection 2.

2.".

Amend sec. 32, page 11, line 19, by deleting "2." and inserting "3.".

Amend sec. 32, page 11, between lines 20 and 21 by inserting:

"4. No franchises for the provision of basic services by a community antenna television company other than those granted pursuant to subsection 2 may be granted before July 1, 1984.".

Amend sec. 32, page 11, line 21, by deleting "3." and inserting "5.".

Amend sec. 32, page 11, line 22, by deleting: "it grants the franchises" and inserting "July 1, 1984.".

Amend sec. 32, page 11, by deleting line 23.

Amend sec. 32, page 11, line 24, by deleting "4." and inserting "6.".

Amend sec. 32, page 11, line 27, by deleting "1." and inserting "2".

Assemblyman Redelsperger moved the adoption of the amendment.

Remarks by Assemblymen Redelsperger, Stone, Jeffrey, Bourne, Thomas, Berkley, Dini and Nicholas.

Conflict of Interest declared by Assemblyman Dini.

Assemblymen Redelsperger, Stone and Sader requested a roll call on Assemblyman Redelsperger's motion.

Roll call on Assemblyman Redelsperger's motion:

YEAS—22.

NAYS—Banner, Berkley, Bremner, Chaney, Coffin, Collins, Craddock, DuBois, Fay, Francis, Jeffrey, Kovacs, May, Perry, Price, Schofield, Sedway, Thompson, Mr. Speaker—19.

Not voting—Dini.

The motion having received a majority, Mr. Speaker declared the amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

SECOND READING AND AMENDMENT

Assembly Bill No. 334.

Bill read second time.

The following amendment was proposed by Assemblyman Beyer:

Amendment No. 947.

Amend section 1, page 1, by deleting lines 10 and 11 and inserting: "*home and the requirements for his access to a certified teacher for guidance or assistance.*".

Assemblyman Beyer moved the adoption of the amendment.

Remarks by Assemblyman Beyer.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 584.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 1088.

Amend section 1, page 1, by deleting lines 2 through 18 on page 1 and lines 1 through 15 on page 2 and inserting:

"705.160 1. [If any railway company or corporation, or owner or operator of a railroad in this state, fails, within 90 days after receipt of the same, to effect settlement of claims received for damages arising from the injury or killing of livestock upon its track or right of way

by the running of engines or cars over or against such animals in this state as provided in NRS 705.150 to 705.200, inclusive, then the owner of such injured or killed animals may sue and recover damages for such injury or killing from any such railway company or corporation or the owner or operator of such railroad in any court of competent jurisdiction in the county in which such animal or animals was or were killed or injured, together with 7 percent interest per annum on the value of the animal or animals so injured or killed as established in such action, from the date such animal or animals was or were killed or injured until paid.

2. Any person having a claim arising under the provisions of NRS 705.150 to 705.200, inclusive, may assign the same in writing to any other claimant or person for value, or for the purpose of suit, who shall thereupon have all the rights and remedies of the assignor.

3. In case it becomes necessary on the part of the owner or owners to establish a claim for any animal or animals so killed or injured in any such action, he shall have the right to establish the actual and market value of such animal or animals or the actual damage so sustained.]

If livestock is injured or killed on the tracks or right of way of any railroad in this state, by the running of engines or cars over or against the animal, the owner of the animal may bring an action against the railway company or corporation or the owner or operator of the railroad in any court of competent jurisdiction in the county where the animal was killed or injured, to recover his damages for the death or injury of the animal.

2. Before commencing any action pursuant to subsection 1, the owner of the livestock may attempt to settle his claim by:

(a) Demanding, in writing, his damages and accrued costs; and

(b) Mailing the demand by certified mail to the last known address of the company, corporation, owner or operator.

3. If the company, corporation, owner or operator fails to settle the claim made pursuant to subsection 2 within 30 days after it is received, by paying the amount demanded by the owner of the livestock, then, in any action brought by the owner if:

(a) He establishes that his damages, excluding his accrued costs, equaled or exceeded the amount he demanded from the company, corporation, owner or operator; and

(b) A judgment is entered in his favor,

the court shall enter judgment against the company, corporation, owner or operator for:

(1) Twice the value of each animal so killed or injured;

(2) Twelve percent interest per annum on the value of the animal or animals from the date they were killed or injured until the final judgment is satisfied;

(3) Attorney's fees; and

(4) Court costs.

4. In any judgment entered pursuant to subsection 3, the court shall also order the defendant to pay $20 to the department of agriculture for each inspection of the brand of the animal so killed or injured, if such an inspection was conducted by the department.

5. In any action to establish a claim for an animal so killed or injured, the owner of the animal may establish the actual and market value of the animal or the actual damage sustained by him.

6. Any person with a claim arising pursuant to NRS 705.150 to 705.200, inclusive, may assign it, in writing, to any other person for value or for the purpose of suit and, upon the assignment, the assignee has the rights and remedies of the assignor.''.

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stewart moved that the Assembly do not recede from its action on Senate Bill No. 220, that a conference be requested, and that Mr. Speaker appoint a first Committee on Conference consisting of three members to meet with a like committee of the Senate.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Stone, Swain and Nevin as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 220.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 375, 411, 461, 505; Senate Bills Nos 177, 230, 298, 301, 350, 359, 380, 381, 385, 391, 399, 431; Senate Joint Resolutions Nos. 15, 24.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Berkley, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Wendy Fleming and Melissa Anne Fleming.

Assemblyman Brady moved that the Assembly adjourn until Monday, May 16, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 4:47 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTIETH DAY

CARSON CITY (Monday), May 16, 1983

Assembly called to order at 11:04 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all,
In the affairs of state transacted here this day make known and accomplish the purposes of God this day.
Lord, in your mercy, let this be sc, and

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Stewart 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Transportation, to which were referred Senate Bills Nos. 454, 468, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Joint Resolution No. 11, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 50, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

EDWARD J. KOVACS, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 419, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Taxation.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Bill No. 375, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDWARD J. KOVACS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 361, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 15, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 138.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 391 and requests a second conference, and appointed Senators Lamb, Gibson and Glaser as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 391.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Joint Resolution No. 11 and requests a second conference, and appointed Senators Neal, Blakemore and Faiss as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Joint Resolution No. 11.

Also, I have the honor to inform your honorable body that the Senate appointed Senators Robinson, Ashworth and Hickey as a first Committee on Conference concerning Senate Bill No. 278.

MAE LOFTHOUSE
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 16, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 271, 281, 323, 405, 418, 440, 446, 453.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Joint Resolution No. 26.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 50.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bourne moved that Assembly Bill No. 627 be taken from the Chief Clerk's desk and re-referred to the Committee on Natural Resources, Environment and Agriculture.

Motion carried.

Assemblyman May moved that Senate Joint Resolution No. 2 be taken from the Chief Clerk's desk and placed on the General File immediately following Assembly Joint Resolution No. 32.

Motion carried.

Assemblyman Stewart moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:11 a.m.

ASSEMBLY IN SESSION

At 11:23 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which were referred Assembly Concurrent Resolutions Nos. 26, 47, 49, 54, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

EDWARD J. KOVACS, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 330, 342, 356, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Assembly Bill No. 565, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Jeffrey and Sedway:

Assembly Concurrent Resolution No. 58—Urging the board of regents to establish an advisory board for each community college.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Jeffrey.

Resolution adopted unanimously.

Assembly Concurrent Resolution No. 50.

Resolution read.

The following amendment was proposed by the Committee on Legislative Functions:

Amendment No. 1101.

Amend the resolution, page 1, by deleting lines 1 through 9 and inserting:

"WHEREAS, The 62nd session of the Nevada legislature has responded to the problems of shortages of revenue to operate state and local government and of certain inequities in taxation by enacting several measures for raising revenue and improving equity in taxation; and

WHEREAS, One area of considerable concern lies in the taxation of aircraft, the fuel used in aircraft and the promotion of aviation in Nevada; and

WHEREAS, The legislature must continue to be responsive to the financial condition of government in this state, to concerns over apparent inequities in taxation and to the promotion of aviation in Nevada, and in order to do so must provide itself with accurate and timely information about the effects of the measures which it has enacted or considered;".

Amend the resolution, page 1, between lines 12 and 13, by inserting:

"1. The effects of measures to raise revenue and improve equity in taxation passed by the 62nd session of the Nevada legislature and the possible effects of measures on those subjects considered by the committees on taxation of that session;".

Amend the resolution, page 1, line 13, by deleting "1." and inserting "2.".

Amend the resolution, page 1, line 15, by deleting "2." and inserting "3.".

Amend the title of the resolution, second line, after "study" by inserting: "the effects of certain tax measures,".

Amend the summary of the resolution to read as follows: "Directs legislative commission to study effects of certain tax measures; including taxation of aviation.".

Assemblyman Kovacs moved the adoption of the amendment.

Remarks by Assemblyman Kovacs.

Amendment adopted.

Resolution ordered reprinted and engrossed.

Assemblyman Jeffrey moved that Senate Bill No. 341 be taken from the Chief Clerk's desk and placed on the General File immediately following Senate Joint Resolution No. 2.

Motion carried.

Assemblyman Stewart moved that Assembly Bill No. 275 be returned from enrollment.

Motion carried.

Assembyman Stewart moved that the vote whereby Assembly Bill No. 275 was passed be rescinded.

Remarks by Assemblyman Stewart.

Motion carried.

Assemblyman Stewart moved that Assembly Bill No. 275 be taken from its position on the General File and placed on the General File immediately following Assembly Joint Resolution No. 32.

Motion carried.

Senate Joint Resolution No. 26.

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

Motion carried.

Senate Concurrent Resolution No. 50.

Assemblyman Jeffrey moved the adoption of the resolution.

Resolution adopted unanimously.

Assembly Concurrent Resolution No. 26.

Assemblyman Bourne moved the adoption of the resolution.

Remarks by Assemblyman Bourne.

Resolution adopted unanimously.

Assembly Concurrent Resolution No. 47.

Assemblyman Humke moved the adoption of the resolution.

Remarks by Assemblyman Humke.

Resolution adopted unanimously.

Assemblyman Stone moved that Assembly Bill No. 629 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Stone.
Motion carried.

Assemblyman Dini moved that Senate Bill No. 377 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblyman Dini.
Motion carried.

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

Assembly in recess at 11:34 a.m.

ASSEMBLY IN SESSION

At 11:35 a.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 49.
Assemblyman Kovacs moved the adoption of the resolution.
Remarks by Assemblyman Kovacs.
Resolution adopted unanimously.

Assembly Concurrent Resolution No. 54.
Assemblyman Craddock moved the adoption of the resolution.
Remarks by Assemblyman Craddock.
Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 271.
Assemblyman Stewart moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Senate Bill No. 281.
Assemblyman Stewart moved that the bill be referred to the Committee on Commerce.
Motion carried.

Senate Bill No. 323.
Assemblyman Stewart moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Senate Bill No. 405.
Assemblyman Stewart moved that the bill be referred to the Committee on Taxation.
Motion carried.

Senate Bill No. 418.

Assemblyman Stewart moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 440.

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

Motion carried.

Senate Bill No. 446.

Assemblyman Stewart moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 453.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 419.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1106.

Amend the bill as a whole by renumbering section 1 as section 2 and inserting a new section designated as section 1, preceding section 1, to read as follows:

"Section 1. NRS 361.227 is hereby amended to read as follows:

361.227 1. Any person determining the taxable value of real property shall appraise:

(a) The full cash value of:

(1) Vacant land by considering the uses to which it may lawfully be put, any legal or physical restrictions upon those uses, the character of the terrain, and the uses of other land in the vicinity.

(2) Improved land consistently with the use to which the improvements are being put.

(b) Any improvements made on the land by subtracting from the cost of replacement of the improvements all applicable depreciation and obsolescence.

2. The taxable value of a possessory interest for the purpose of NRS 361.157 or 361.159 may be determined:

(a) By subtracting from the cost of replacement of the improvements all applicable depreciation and obsolescence; or

(b) By capitalizing the fair economic income expectancy.

3. The taxable value of other taxable personal property, except mobile homes [,] *valued under subsection 3 of NRS 361.325,* must be determined by subtracting from the cost of replacement of the property all applicable depreciation and obsolescence.

4. The computed taxable value of any property must not exceed its full cash value.

5. The Nevada tax commission shall by regulation establish:

(a) Standards for determining the cost of replacement of improvements of various kinds.

(b) Schedules of depreciation based on the estimated life of each kind of property. Depreciation must be determined according to the actual age of the improvements or other depreciable property.

The standards and schedules must be approved by the interim legislative committee on local governmental finance before they are used. Each county assessor shall adhere strictly to these standards and schedules.

6. The county assessor shall, upon the request of the owner, furnish within 15 days to the owner a copy of the most recent appraisal of the property.''.

Amend section 1, page 1, by deleting line 2 and inserting:

''361.260 1. [Between January 1 and December 15''.

Amend section 1, page 1, line 3, by deleting ''each'' and inserting ''each] *Each*''.

Amend section 1, page 1, by deleting line 5 and inserting: ''all real [and secured personal] property in his county *as of July 1 which is* subject to taxation,''.

Amend section 1, page 1, line 8, after ''list'' by inserting: ''*it on the basic tax roll*''.

Amend section 1, page 1, line 9, by deleting ''He'' and inserting ''[He''.

Amend section 1, page 1, line 10, by deleting the brackets.

Amend section 1, page 1, line 11, by deleting: ''*November 1 in each year,*''.

Amend section 1, page 1, line 12, by deleting ''roll.'' and inserting: ''roll.] *Any real property whose existence is ascertained after July 1 in each assessment year and all personal property, must be listed on a supplemental tax roll.*''.

Amend the bill as a whole by renumbering section 2 as section 5 and inserting new sections designated sections 3 and 4, following section 1, to read, respectively, as follows:

''Sec. 3. NRS 361.265 is hereby amended to read as follows:

361.265 1. [For] *Each year, for* the purpose of enabling the county assessor to make assessments, he shall demand from each person or firm, and from the president, cashier, treasurer or managing agent of each corporation, association or company, including all banking institutions, associations or firms within his county, a written statement, signed under penalty of perjury, on forms to be furnished by the county assessor of all the personal property within the county [,] *on July 1,* owned, claimed, possessed, controlled or managed by those persons, firms, corporations, associations or companies.

2. If the owners of any property not listed by another person are absent or unknown, or fail to provide the written statement within 15 days after demand is made therefor, the county assessor shall make an estimate of the value of the property and assess it accordingly. If the

name of the absent owner is known to the county assessor, the property must be assessed in his name. If the name of the owner is unknown to the county assessor, the property must be assessed to "unknown owner"; but no mistake made in the name of the owner or the supposed owner of personal property renders the assessment or any sale of such property for taxes invalid.

3. At the end of [each month] *October* the county assessor shall report to the district attorney of the county the names of all persons neglecting or refusing to give the statement as required by this section, and the district attorney shall prosecute all persons so offending.

4. If any person, officer or agent neglects or refuses on demand of the county assessor or his deputy to give the statement required by this section, or gives a false name, or refuses to give his name or to sign the statement, he is guilty of a misdemeanor and must be arrested upon the complaint of the county assessor or his deputy.

Sec. 4. NRS 361.300 is hereby amended to read as follows:

361.300 1. On or before January 1 of each year, the county assessor shall post at the front door of the courthouse and publish in a newspaper published in the county a notice to the effect that the [secured] *basic* tax roll is completed and open for inspection by interested persons of the county.

2. Except as otherwise provided in subsection 3, each board of county commissioners shall by resolution, before December 1 of any fiscal year in which assessment is made, require the county assessor to prepare a list of all the taxpayers on the [secured] *basic tax* roll in the county and the total valuation of property on which they severally pay taxes and direct the county assessor:

(a) To cause [such] *the* list and valuations to be printed and delivered by the county assessor or mailed by him on or before January 1 of the fiscal year in which assessment is made to each taxpayer in the county; or

(b) To cause [such] *the* list and valuations to be published once on or before January 1 of the fiscal year in which assessment is made in a newspaper of general circulation in the county.

3. A board of county commissioners may, in the resolution required by subsection 2, authorize the county assessor not to deliver or mail the list, as provided in paragraph (a) of subsection 2, to taxpayers whose property is assessed at $1,000 or less and direct the county assessor to mail to each such taxpayer a statement of the amount of his assessment. Failure by a taxpayer to receive such a mailed statement does not invalidate any assessment.

4. The several boards of county commissioners in the state may allow the bill contracted with their approval by the county assessor under this section on a claim to be allowed and paid as are other claims against the county.

5. Whenever property is appraised or reappraised pursuant to NRS 361.260, the county assessor shall, on or before January 1 of the fiscal year in which the appraisal or reappraisal is made, deliver or mail to

each owner of such property a written notice stating its assessed valuation as determined from the appraisal or reappraisal. Failure by the taxpayer to receive [such] *this* notice does not invalidate the appraisal or reappraisal.''

Amend sec. 2, page 2, line 10, by deleting ''his'' and inserting ''[his] *the basic*''.

Amend sec. 2, page 2, line 11, by deleting ''roll, and'' and inserting: ''roll [, and] *which lists all taxable real property within the county as of July 1 of the current assessment year. The county assessor shall complete the supplemental tax list or assessment roll on or before March 31 of each year. When each roll is completed, the county assessor*''.

Amend sec. 2, page 2, line 21, by deleting: ''may close his roll'' and inserting: ''may , [close his roll]''.

Amend sec. 2, page 2, by deleting line 22 and inserting: ''ship of property , *close the basic roll* on December 1 , *and the supplemental roll on March 31,* of each year or on any''.

Amend the bill as a whole by renumbering section 3 as section 13 and inserting new sections designated sections 6 through 12, following section 2, to read as follows:

''Sec. 6. NRS 361.325 is hereby amended to read as follows:

361.325 1. On or before the 1st Monday in [June] *October* of each year, the Nevada tax commission shall:

(a) Fix and establish the valuation for assessment purposes of [all] *:*

(1) All livestock *;* and [mobile homes]

(2) Mobile homes sold new before July 1, 1982,

in the state.

(b) Classify land and fix and establish the valuation thereof for assessment purposes. The classification of agricultural land must be made on the basis of crop, timber or forage production, either in tons of crops per acre, board feet or other unit, or animal unit months of forage. An animal unit month is the amount of forage which is necessary for the complete sustenance of one animal unit for 1 month. One animal unit is defined as one cow and calf, or its equivalent, and the amount of forage necessary to sustain one animal unit for 1 month is defined as 900 pounds of dry weight forage.

2. The valuation of livestock, mobile homes and land so fixed and established is for the next succeeding year and is subject to equalization by the state board of equalization.

3. In establishing the value of [new] mobile homes sold [on or after] *new before* July 1, 1982, the Nevada tax commission shall [classify them according to those factors which most closely determine their useful lives. In establishing the value of other mobile homes, the commission shall] begin with the retail selling price and depreciate it by 5 percent per year, but not below 20 percent of its original amount.

4. The Nevada tax commission shall cause to be placed on the *supplemental* assessment roll of any county property found to be escaping taxation coming to its knowledge after the adjournment of the state board of equalization. This property must be placed upon [the] *that* assessment roll prior to the delivery thereof to the ex officio tax

receiver. If such property cannot be placed upon the *supplemental* assessment roll of the proper county within the proper time, it must be placed upon the *basic* tax roll *, if it is real property, or the supplemental tax roll, if it is personal property,* for the next ensuing year, in addition to the assessment for the current year, if any, and taxes thereon must be collected for the prior year in the same amount as though collected upon the prior year's assessment roll.

5. The Nevada tax commission shall not raise or lower any valuations established by the state board of equalization unless, by the addition to any assessment roll of property found to be escaping taxation, it is necessary to do so.

6. Nothing in this section provides an appeal from the acts of the state board of equalization to the Nevada tax commission.

Sec. 7. NRS 361.340 is hereby amended to read as follows:

361.340 1. Except as provided in subsection 2, the board of equalization of each county consists of:

(a) Five members, only two of whom may be elected public officers, in counties having a population of 10,000 or more; and

(b) Three members, only one of whom may be an elected public officer, in counties having a population of less than 10,000.

2. The board of county commissioners may by resolution provide for an additional panel of like composition to be added to the board of equalization to serve for a designated fiscal year. If such an additional panel is added, it shall determine the valuation of residential real property and the other members of the board shall sit separately to determine the valuation of all other property subject to its jurisdiction.

3. A district attorney, county treasurer or county assessor or any of their deputies or employees may not be appointed to the county board of equalization.

4. The chairman of the board of county commissioners shall nominate persons to serve on the county board of equalization who are sufficiently experienced in business generally to be able to bring knowledge and sound judgment to the deliberations of the board or who are elected public officers. The nominees must be appointed upon a majority vote of the board of county commissioners. The chairman of the board of county commissioners shall designate one of the appointees to serve as chairman of the county board of equalization.

5. Except as otherwise provided in this subsection, the term of each member is 4 years and any vacancy must be filled by appointment for the unexpired term. The term of any elected public officer expires upon the expiration of the term of his elected office.

6. The county clerk or his designated deputy is the clerk of each panel of the county board of equalization.

7. Any member of the county board of equalization may be removed by the board of county commissioners if, in its opinion, the member is guilty of malfeasance in office or neglect of duty.

8. The members of the county board of equalization are entitled to receive per diem allowance and travel expenses as provided for state officers and employees. The board of county commissioners of any county may by resolution provide for compensation to members of the

board of equalization in their county who are not elected public officers as they deem adequate for time actually spent on the work of the board of equalization. In no event may the rate of compensation established by a board of county commissioners exceed $40 per day.

9. A majority of the members of the county board of equalization constitutes a quorum, and a majority of the board determines the action of the board.

10. The county board of equalization of each county shall hold such number of meetings as may be necessary to care for the business of equalization presented to it. Every appeal to the county board of equalization must be filed not later than January [15.] *10.* Each county board shall cause to be published, in a newspaper of general circulation published in that county, a schedule of dates, times and places of the board meetings at least 5 days before the first meeting. The county board of equalization shall conclude the business of equalization on or before February [27] *20* of each year. The state board of equalization may establish procedures for the county boards, including setting the period for hearing appeals and for setting aside time to allow the county board to review and make final determinations. The district attorney or his deputy shall be present at all meetings of the county board of equalization to explain the law and the board's authority.

11. The county assessor or his deputy shall attend all meetings of each panel of the county board of equalization.

Sec. 8. NRS 361.355 is hereby amended to read as follows:

361.355 1. Any person, firm, company, association or corporation, claiming overvaluation or excessive valuation of its real or [secured] personal property in the state, whether assessed by the Nevada tax commission or by the county assessor or assessors, [by reason of] *or claiming* undervaluation for taxation [purposes] of the property of any other person, firm, company, association or corporation within any county of the state or [by reason of] *claiming that* any such property *is* not being so assessed, shall appear before the county board of equalization of the county or counties where the [undervalued or nonassessed] property is located and make complaint concerning it and submit proof thereon. The complaint and proof must show the name of the owner or owners, the location, the description, and the taxable value of the property . [claimed to be undervalued or nonassessed.

2. Any person, firm, company, association or corporation wishing to protest the valuation of real or personal property placed on the unsecured tax roll which is assessed between May 1 and December 15 shall likewise appear before the county board of equalization.]

2. Any person wishing to protest the valuation of property which is placed on the supplemental assessment roll and assessed after December 31 but before or on the following March 31 may file his complaint with the state board of equalization as provided in subsection 3 of NRS 361.360.

3. The county board of equalization forthwith shall examine the proof and all data and evidence submitted by the complainant, together with any evidence submitted thereon by the county assessor or any other person. If the county board of equalization determines that the

complainant has just cause for making the complaint it shall immediately make such increase *or decrease* in valuation of the property complained of as conforms to its taxable value, or cause the property to be placed on the assessment roll at its taxable value, as the case may be, and make proper equalization thereof.

4. Except as provided in subsection 5 and NRS 361.403, any such person, firm, company, association or corporation who fails to make a complaint and submit proof to the county board of equalization of each county wherein it is claimed property is *overvalued,* undervalued or nonassessed as provided in this section, is not entitled to file a complaint with, or offer proof concerning that *overvalued,* undervalued or nonassessed property to, the state board of equalization.

5. If the fact that there is such *overvalued,* undervalued or nonassessed property in any county has become known to the complainant after the final adjournment of the county board of equalization of that county for that year, the complainant may file his complaint no later than the 4th Monday of February with the state board of equalization and submit its proof as provided in this section at a session of the state board of equalization, upon complainant proving to the satisfaction of the state board of equalization it had no knowledge of [the undervalued or nonassessed] *the valuation of the* property before the final adjournment of the county board of equalization. The state board of equalization shall proceed in the matter in like manner as provided in this section for a county board of equalization in such case, and cause its order thereon to be certified to the county auditor with direction therein to change the assessment roll accordingly.

Sec. 9. NRS 361.357 is hereby amended to read as follows:

361.357 1. The owner of any property who believes that the full cash value of his property is less than the taxable value computed for the property in the current assessment year, may [, before January 15 of the fiscal year in which the assessment was made,] appeal to the county board of equalization [.] *before January 10 of the fiscal year in which the assessment is made, except as provided in this subsection. If the property is placed on the supplemental assessment roll and assessed after December 31 but before or on the following March 31, the owner may file his complaint with the state board of equalization as provided in subsection 3 of NRS 361.360.*

2. If the county board of equalization finds that the full cash value of the property is less than the taxable value computed for the property, the board shall adjust the factors applied to the property pursuant to NRS 361.227, particularly the rate of depreciation, to make the taxable value of the property correspond as closely as possible to its full cash value.

[2.] *3.* No appeal under this section may result in an increase in the taxable value of the property.

[3.] *4.* Property found to be obsolete must be identified on the roll and reappraised for each year while it is so listed.

Sec. 10. NRS 361.360 is hereby amended to read as follows:

361.360 1. Any taxpayer aggrieved at the action of the county board of equalization in equalizing, or failing to equalize, the value of

his property, or property of others, or a county assessor, may file an appeal with the state board of equalization no later than the 4th Monday of February and present to the state board of equalization the matters complained of at one of its sessions.

2. All such appeals must be presented upon the same facts and evidence as were submitted to the county board of equalization in the first instance, unless there is discovered new evidence pertaining to the matter which could not, by due diligence, have been discovered before the final adjournment of the county board of equalization.

3. Any taxpayer [whose real or personal property placed on the unsecured tax roll was assessed after December 15 but before or on the following April 30 may likewise protest to] *wishing to protest, pursuant to NRS 361.355 or 361.357, the valuation of property which is placed on the supplemental assessment roll and assessed after December 31 but before or on the following March 31 may do so before* the state board of equalization, which shall meet before May 31 to hear these protests. Every such appeal must be filed on or before May 15.

Sec. 11. NRS 361.380 is hereby amended to read as follows:

361.380 1. Except as otherwise provided in subsection 3, annually, the state board of equalization shall convene on the 1st Monday in March in Carson City, Nevada, and shall hold such number of meetings as may be necessary to care for the business of equalization presented to it. The state board of equalization shall conclude the business of equalization on cases that in its opinion have a substantial effect on tax revenues on or before April 10 [. Cases] *, except cases having that effect where the property is placed on the supplemental assessment roll and assessed after December 31 but before or on March 31. Those cases and cases* having less than a substantial effect on tax revenues may be heard at additional meetings which may be held at any time and place in the state prior to October 1 [.] *, but the cases involving property on the supplemental assessment roll and having a substantial effect on tax revenues must be given priority over all other cases.*

2. The publication in the statutes of the foregoing time, place and purpose of each regular session of the state board of equalization is notice of such sessions, or if it so elects, the state board of equalization may cause published notices of such regular sessions to be made in the press, or may notify parties in interest by letter or otherwise.

3. The state board of equalization may designate some place other than Carson City, Nevada, for any of the meetings specified in subsection 1. If such other place is so designated, notice thereof must be given by publication of a notice once a week for 2 consecutive weeks in some newspaper of general circulation in the county in which such meeting or meetings are to be held.

Sec. 12. NRS 361.390 is hereby amended to read as follows:

361.390 Each county assessor shall:

1. File with or cause to be filed with the secretary of the state board of equalization [, on] *:*

(a) On or before the 1st Monday in March of each year, the [tax

roll,] *basic assessment roll and the supplemental assessment roll containing assessments made after July 1 but before or on the following December 31; and*

(b) On or before May 15 of each year, the supplemental assessment roll containing assessments made after December 31 but before or on the following March 31,

or a true copy thereof, of his county for the current year as corrected by the county board of equalization [.] *, if corrections are made.*

2. Prepare and file with the secretary of the state board of equalization, on or before the 1st Monday in March of each year, a report showing the segregation of property and the assessment thereof shown on the [tax] *basic assessment* roll for the current year [.] *and the current supplemental assessment roll containing assessments made after July 1 but before or on the following December 31. A report showing the segregation of property and the assessment thereof shown on the current supplemental assessment roll containing assessments made after December 31 but before or on the following March 31 must be prepared and filed by each county assessor with the secretary of the state board of equalization on or before May 15 of each year.*''.

Amend sec. 3, page 2, by deleting lines 30 and 31 and inserting:

''2. [The] *Except as provided in this subsection, the* lien attaches on July 1 of the year''.

Amend sec. 3, page 2, line 32, by deleting ''then'' and inserting ''[then]''.

Amend sec. 3, page 2, by deleting line 33 and inserting: ''county [.] *listed on the basic and supplemental assessment rolls.* The lien attaches upon all [other] *migratory* property *, as described in NRS 361.505, not listed on either roll,* on the day it is''.

Amend sec. 3, page 2, line 34, by deleting ''county whether'' and inserting ''county . [whether''.

Amend sec. 3, page 2, line 36, by deleting ''property.'' and inserting ''property.]''.

Amend the bill as a whole by deleting sections 4 through 7 and adding new sections, designated sections 14 through 37, following section 3, to read as follows:

''Sec. 14. NRS 361.475 is hereby amended to read as follows:

361.475 The several county treasurers of this state [shall be] *are* ex officio tax receivers under the provisions of this chapter for their several counties, and they shall receive all taxes assessed upon the [real property tax roll.] *basic and supplemental tax rolls.*

Sec. 15. NRS 361.482 is hereby amended to read as follows:

361.482 The ad valorem tax on property levied by the legislature [shall] *must* be collected, in one sum or in installments as provided by this chapter, during each fiscal year upon [:

1. Property assessed during that fiscal year which is not placed upon the secured roll.

2. Property] *property* assessed during the preceding fiscal year which was placed upon the [secured] *tax* roll.

Sec. 16. NRS 361.483 is hereby amended to read as follows:

361.483 1. Except as provided in subsection 4, taxes assessed

upon the [real property] tax roll [and upon mobile homes as defined in NRS 361.561] are due on the 3rd Monday of July.

2. Taxes assessed upon the real property tax roll may be paid in four equal installments.

3. In any county having a population of 100,000 or more, taxes assessed upon a mobile home may be paid in four equal installments if the taxes assessed exceed $100.

4. If a person elects to pay in quarterly installments, the first installment is due on the 3rd Monday of July, the second installment on the 1st Monday of October, the third installment on the 1st Monday of January, and the fourth installment on the 1st Monday of March.

5. If any person charged with taxes which are a lien on real property fails to pay:

(a) Any one quarter of such taxes on or within 10 days following the day such taxes become due, there must be added thereto a penalty of 4 percent.

(b) Any two quarters of such taxes, together with accumulated penalties, on or within 10 days following the day the later quarter of taxes becomes due, there must be added thereto a penalty of 5 percent of the two quarters due.

(c) Any three quarters of such taxes, together with accumulated penalties, on or within 10 days following the day the latest quarter of taxes becomes due, there must be added thereto a penalty of 6 percent of the three quarters due.

(d) The full amount of such taxes, together with accumulated penalties, on or within 10 days following the 1st Monday of March, there must be added thereto a penalty of 7 percent of the full amount of such taxes.

6. Any person charged with taxes which are a lien on a mobile home as defined in NRS 361.561, who fails to pay the taxes within 10 days after the quarterly payment is due is subject to the following provisions:

(a) The entire amount of the taxes are due;

(b) A penalty of 10 percent of the taxes due;

(c) An additional penalty of $3 per month or any portion thereof, until the taxes are paid; and

(d) The county assessor may proceed under NRS 361.535.

Sec. 17. NRS 361.505 is hereby amended to read as follows:

361.505 1. *As used in NRS 361.505 to 361.5605, inclusive, "migratory property" means any movable personal property which the county assessor expects will not remain in the county for a full fiscal year.*

2. Each county assessor, when he assesses the *migratory* property of any person liable to taxation , [who does not own real estate within the county of sufficient value, in the county assessor's judgment, to pay the taxes on both his real and personal property,] shall proceed immediately to collect the taxes on the [personal property so assessed, except as to mobile homes as provided in subsection 3 of NRS 361.483.

2.] *property, if it is assessed after March 31 but before or on June*

30. If the migratory property is assessed at any other time, it must be placed on the supplemental assessment roll.

3. The county assessor shall prorate the tax on [personal] *migratory* property brought into or entering the state or county for the first time during the fiscal year *, and whether or not it is placed on the supplemental assessment roll,* by reducing the tax one-twelfth for each full month which has elapsed since the beginning of the fiscal year. [Where such property is owned by a person who does own real estate in the county of sufficient value in the county assessor's judgment to pay the taxes on both his real and personal property, the tax on the personal property for the fiscal year in which the property was moved into the state or county, prorated, may be collected all at once or by installments as permitted by NRS 361.483 for property assessed upon the real property tax roll. The tax on personal property first assessed in May or June may be added to the tax on that property for the ensuing fiscal year and collected concurrently with it.

3.] *4.* The person paying such taxes is not thereby deprived of his right to have such assessment equalized, and if, upon such equalization, the value is reduced, the taxes paid must be refunded to such person from the county treasury, upon the order of the county or state board of equalization in proportion to the reduction of the value made.

[4.] *5.* Nothing in this section or any other statute prohibits the county assessor from prorating the count on livestock situated within the state for a portion of a year.

Sec. 18. NRS 361.510 is hereby amended to read as follows:

361.510 The board of county commissioners of each county shall prepare suitable blank receipts to be issued by the respective county assessors on the payment to them of the taxes on [movable personal] *migratory* property. [Such] *The* blank tax receipts [shall] *must* be countersigned by the county auditor.

Sec. 19. NRS 361.520 is hereby amended to read as follows:

361.520 On the 1st Monday in July of each year, the county assessor shall return to the county auditor all blank receipts for taxes on [movable personal] *migratory* property received by him and not used, and also all stubs of the receipts used. The county auditor, after comparing the stubs of the receipts used with the monthly sworn statement made by the county assessor and the original schedules of assessment of [movable personal] *migratory* property on file in his office, immediately shall return [such] *the* unused receipts and stubs to the board of county commissioners.

Sec. 20. NRS 361.525 is hereby amended to read as follows:

361.525 [Should] *If* the county assessor [give] *gives* any other receipt on the payment to him of any tax on [movable personal] *migratory* property than that provided for in NRS 361.510, he shall be [guilty of a felony, and on conviction thereof shall be] punished by imprisonment in the state prison for not less than 1 year nor more than 6 years, or by a fine of not more than $5,000, or by both fine and imprisonment, and [shall] *must* be removed from office.

Sec. 21. NRS 361.535 is hereby amended to read as follows:

361.535 1. [If] *Except as provided in subsection 6 of NRS*

361.483 and NRS 361.5644, if the person, company or corporation [so] *whose personal property is* assessed neglects or refuses to pay the taxes within 30 days after demand, a penalty of 10 percent must be added. If the tax and penalty are not paid on demand, the county assessor or his deputy shall seize, seal or lock enough of the personal property of the person, company or corporation so neglecting or refusing to pay to satisfy the taxes and costs.

2. The county assessor shall post a notice of the seizure, with a description of the property, in three public places in the township or district where it is seized, and shall, at the expiration of 5 days, proceed to sell at public auction, at the time and place mentioned in the notice, to the highest bidder, for lawful money of the United States, a sufficient quantity of such property to pay the taxes and expenses incurred. For this service the county assessor must be allowed from the delinquent person a fee of $3.

3. If the personal property seized by the county assessor or his deputy consists of a mobile home, house trailer or boat, the county assessor shall publish a notice of [such] *the* seizure once during each of 2 successive weeks in a newspaper of general circulation in the county. If the legal owner of such property is someone other than the registered owner and the name and address of the legal owner can be ascertained from the records of the department of motor vehicles, the county assessor shall, prior to such publication, send a copy of [such] *the* notice by registered or certified mail to such legal owner. The cost of [such] publication and notice must be charged to the delinquent taxpayer. [Such] *The* notice must state:

(a) The name of the owner, if known.

(b) The description of the property seized, including the make, model and color and the serial number, motor number, body number or other identifying number.

(c) The fact that the property has been seized and the reason for seizure.

(d) The amount of the taxes due on the property and the penalties and costs as provided by law.

(e) The time and place at which such property is to be sold.

After the expiration of 5 days from the date of the second publication of such notice, the property must be sold at public auction in the manner provided in subsection 2 for the sale of other personal property by the county assessor.

4. Upon payment of the purchase money, the county assessor shall deliver to the purchaser of the property sold, with a certificate of the sale, a statement of the amount of taxes or assessment and the expenses thereon for which the property was sold, whereupon the title of the property so sold vests absolutely in the purchaser.

Sec. 22. NRS 361.550 is hereby amended to read as follows:

361.550 1. [Should] *If* the county assessor [neglect or refuse] *neglects or refuses* to make the monthly statements of his collections of [movable personal property] *the* tax *on migratory property* as required by law, or [neglect or refuse] *neglects or refuses* to file the

original schedules of his assessments of such property, he [shall be] *is* guilty of a misdemeanor, and [shall] *must* be removed from office.

2. In case of such neglect and refusal, the county auditor shall inform the district attorney immediately of such facts, and the district attorney shall commence proceedings against the county assessor under this section.

Sec. 23. NRS 361.555 is hereby amended to read as follows:

361.555 1. The county auditor [shall be] *is* liable on his official bond for double the amount of the loss that the state and county may sustain through the defalcation of the county assessor, or otherwise, in cases where he has not notified the district attorney of the neglect or refusal of the county assessor to make his monthly statement, under oath, of collection of the tax on [movable personal] *migratory* property as required by law.

2. The state controller [shall have] *has* direction and control of all suits brought against the county auditor under this section. A copy of the statement of amount lost by the state and county, made out and certified by the state controller, [shall be] *is* sufficient evidence to support an action in any court of competent jurisdiction for the amount of [such] *the* loss without proof of the signature or official character of the state controller, subject [, however,] to the right of the defendant to plead and give in evidence, as in other actions, all such matters as [shall be] *is* legal and proper for his defense or discharge.

3. One-half of all [moneys] *money* recovered under such *a* suit against the county auditor [shall go] *must be paid* into the *state* general fund [of the state] and one-half [shall go] *must be paid* into the general fund of the county.

Sec. 24. NRS 361.561 is hereby amended to read as follows:

361.561 As used in NRS [361.562] *361.563* to 361.5644, inclusive:

1. "Camper-shell" means a covered canopy mounted on a motor vehicle, and which is not equipped with permanent facilities for the preparation or storage of food or for sleeping purposes.

2. "Mobile home" means a vehicular structure, built on a chassis or frame, which is designed to be used with or without a permanent foundation and is capable of being drawn by a motor vehicle. It may be used as a dwelling when connected to utilities or may be used permanently or temporarily for the advertising, sales, display or promotion of merchandise or services.

3. "Slide-in camper" means a portable unit designed to be loaded and unloaded from the bed of a pickup truck, and so constructed as to provide temporary living quarters for travel, camping or recreational use. "Slide-in camper" does not include a camper-shell.

4. Those units identified as "chassis-mount camper," "mini motor home," "motor home," "travel trailer," "utility trailer" and "van conversion," in chapter 482 of NRS and any other vehicle required to be registered with the department of motor vehicles are subject to the personal property tax unless registered and taxed pursuant to chapter 371 of NRS. Such unregistered units and vehicles [shall] *must* be taxed in the manner provided in NRS [361.562] *361.563* to 361.5644, inclusive.

Sec. 25. NRS 361.563 is hereby amended to read as follows:

361.563 Every person who brings into [the State of Nevada] *this state* any mobile home or slide-in camper on which the personal property tax has not been paid in this state shall within 30 days [from] *after* the date of entry [comply with the provisions of] *file with the county assessor the written statement described by* subsection 1 of NRS [361.562.] *361.265.*

Sec. 26. NRS 361.5642 is hereby amended to read as follows:

361.5642 Every person who on July 1 owns any mobile home or slide-in camper situated in [the State of Nevada] *this state and every repossessor of a mobile home or slide-in camper upon retaking possession in this state* shall within 30 days thereafter [comply with the provisions of] *file with the county assessor the written statement described by* subsection 1 of NRS [361.562.] *361.265.*

Sec. 27. NRS 361.5643 is hereby amended to read as follows:

361.5643 1. Except as provided in subsection 2, upon [compliance by the purchaser or repossessor of] *payment of the tax on* a slide-in camper or [the purchaser or repossessor of] a mobile home , [with the provisions of NRS 361.562, 361.563 or 361.5642] the county assessor shall:

(a) Deliver forthwith to the [purchaser or repossessor of a] *owner of the* mobile home, as well as annually thereafter upon payment of the tax, a sticker which must be of a design and affixed in [such] *a* manner [as is] prescribed by the department;

(b) Deliver forthwith to the [purchaser or repossessor of a] *owner of the* slide-in camper, as well as annually thereafter upon payment of the tax, a tax plate or a sticker which must be of a design and affixed in [such] *a* manner [as is] prescribed by the department.

2. Upon payment of a quarterly installment, the county assessor shall issue the appropriate decal.

3. The county assessor shall issue each year to the owner of a camper-shell not subject to taxation under the provisions of this chapter a tax plate or sticker similar to that provided in paragraph (b) of subsection 1, which the owner shall affix to the camper-shell in the manner prescribed by the department.

Sec. 28. NRS 361.5644 is hereby amended to read as follows:

361.5644 [1.] If the [purchaser, repossessor or other] owner of a mobile home or slide-in camper fails to [comply with the provisions of subsection 1 of NRS 361.562 or with the provisions of NRS 361.563 or 361.5642] *pay the taxes on the mobile home or slide-in camper* within the required time , the county assessor shall collect a penalty, which must be added to the tax and collected therewith in the amount of 10 percent of the tax due, plus:

[(a)] *1.* If the tax on a mobile home is paid within 1 month after it is due, $3, and if paid on any unit or vehicle mentioned in subsection 4 of NRS 361.561 within 1 month, $1.

[(b)] 2. If the tax on a mobile home is paid more than 1 month after it is due, $3 for each full month or final fraction of a month which has elapsed, and if paid on any unit or vehicle mentioned in subsection

4 of NRS 361.561 more than 1 month after it is due, $1 for each such month.

[2. If any person required to pay a personal property tax under the provisions of NRS 361.562, 361.563 or 361.5642 neglects or refuses to pay the tax on demand of the county assessor, the county assessor or his deputy shall seize the mobile home or slide-in camper upon which the taxes are due and proceed in accordance with the provisions of NRS 361.535.

3. The tax is due and the tax and any penalty must be computed for each fiscal year from:

(a) The date of purchase within or importation into this state, under NRS 361.562 and 361.563.

(b) July 1, under NRS 361.5642.]

Sec. 29. NRS 361.565 is hereby amended to read as follows:

361.565 1. Within 30 days after the 1st Monday in March of each year, in all cases where the tax is delinquent, the tax receiver of the county shall give notice in the manner and form provided in this section.

2. The notice must be published in the newspaper which publishes the list of taxpayers pursuant to NRS 361.300 at least once a week from the date thereof for 4 consecutive weeks. If there is no newspaper in the county, the notice must be posted in at least five conspicuous places within the county.

3. The cost of publication in each case must be charged to the delinquent taxpayer, and is not a charge against the state or county. The publication must be made at not more than legal rates.

4. When the delinquent property consists of unimproved real estate assessed at a sum not exceeding $25, the notice must be given by posting a copy of the notice in three conspicuous places within the county without publishing the notice in a newspaper.

5. The notice must state:

(a) The name of the owner, if known.

(b) The description of the property on which the taxes are a lien.

(c) The amount of the taxes due on the property and the penalties and costs as provided by law.

(d) That if the amount is not paid by the taxpayer or his successor in interest the tax receiver will, on the 1st Monday in May of the current year at [1:30] *5* p.m. of that day, issue to the county treasurer, as trustee for the state and county, a certificate authorizing him to hold the property, subject to redemption within 2 years after date thereof, by payment of the taxes and accruing taxes, penalties and costs, together with interest on the taxes at the rate of 10 percent per annum from date due until paid as provided by law and that redemption may be made in accordance with the provisions of chapter 21 of NRS in regard to real property sold under execution.

6. The notice must be mailed in the following manner:

(a) At the same time that the tax receiver first publishes the notice or posts the notice, as the case may be, he shall send a copy of the notice by first class mail, in the case of each respective property as taxed to:

(1) The owner or owners of the property;

(2) The person or persons listed as the taxpayer or taxpayers on the tax rolls, at their last known addresses, if the names and addresses are known; and

(3) Each holder of a recorded security interest if the holder has made a request in writing to the tax receiver for the notice, which identifies the secured property by the parcel number assigned to it in accordance with the provisions of NRS 361.189. Upon mailing the original notice of delinquency, the tax receiver shall issue his personal affidavit to the board of county commissioners affirming that due notice had been mailed in respect to each parcel. The affidavit must recite the number of letters mailed, the number of letters returned, and the number of letters finally determined to be undeliverable. Detailed records must be maintained by the tax receiver in support of his affidavit, in such content as the department may prescribe, until the period of redemption has expired.

(b) A second copy must be sent by certified mail, not less than 60 days before the expiration of the period of redemption as stated in the notice.

(c) The cost of each mailing must be charged to the delinquent taxpayer at the rate of $1 each.

Sec. 30. NRS 361.765 is hereby amended to read as follows:

361.765 1. Whenever a clerical or typographical error or errors appear upon the [real or personal property] tax roll of any county which have not been corrected by any officer or board vested by law with the duty of correcting such errors, the county assessor of the county upon whose tax roll such errors appear shall make a report thereof to the board of county commissioners of such county.

2. The board of county commissioners shall thereupon examine the error or errors so reported, together with such evidence as may be presented in connection therewith, and, if satisfied that such errors or any of them are purely clerical or typographical shall:

(a) By an order entered in the minutes of the board authorize and direct the county treasurer to correct the error or errors so reported so as to conform to the true assessment; and

(b) Serve a copy of such order on the county treasurer, who shall thereupon make the corrections and change the tax roll or rolls in conformity therewith.

3. Whenever it appears that corrections of mathematical or typographical errors on the tax roll are necessary, the county assessor may, with the concurrence of the county treasurer, make corrections in the assessed valuation of any property within the county. When such corrections are made, the county treasurer shall make such adjustments as are necessary to the tax rolls.

4. At the end of each fiscal year the county treasurer shall report to the board of county commissioners all corrections made under subsection 3 during such fiscal year. The board of county commissioners shall approve or disapprove each correction reported. The county treasurer shall make any adjustments to the tax rolls made necessary by the

disapproval by the board of county commissioners of any corrections made.

Sec. 31. NRS 361.770 is hereby amended to read as follows:

361.770 1. If real property is overlooked or not assessed on the [secured] assessment roll for any year and the roll has been closed or accounted for, the county assessor of any county wherein the property is located may assess the property as personal property and give his receipt for the taxes paid thereon in the amount received by him. If the amount of the taxes exceed $100, they may be paid in quarterly installments as provided in NRS 361.483.

2. An assessment may be made at any time within 1 year after the time when the property would normally have been assessed on the [real property] *tax* roll, and the receipt issued by the county assessor must specify the description of the property, together with the year for which the tax is paid.

3. The receipt issued by the county assessor is conclusive evidence for the payment of all taxes against the property described for the year named on the receipt and is a complete defense to any action for taxes which may be brought for the period covered by the receipt.

Sec. 32. NRS 361.795 is hereby amended to read as follows:

361.795 1. As used in this section, "qualified system" means any system, method, construction, installation, machinery, equipment, device or appliance which is designed, constructed or installed in a residential building to heat or cool the building by using:

(a) Solar or wind energy;

(b) Geothermal resources;

(c) Energy derived from conversion of solid wastes; or

(d) Water power,

which conforms to standards established by regulation of the department.

2. The owner of a residential building which is heated or cooled with a qualified system is entitled to an allowance against the [property] tax accrued [:

(a) During the current assessment year if the building is placed upon the secured tax roll; or

(b) In the next following assessment year if the building is placed upon the unsecured tax roll,] *against the property* in an amount equal to the difference between the tax on the property at its assessed value with the system and the tax on the property at its assessed value without the system.

3. In no event may the allowance:

(a) Exceed the amount of the accrued property tax paid by the claimant on the building or $2,000, whichever is less; or

(b) Be granted in any assessment year in which the qualified system is not actually used to heat or cool the building.

4. Only one owner of the building may file a claim for an assessment year. A claim may be filed with the county assessor of the county in which the building is located. The claim must be signed under penalty of perjury and filed in such form and content, and accompanied

by such proof, as the department may prescribe. The county assessor shall furnish the appropriate form to each claimant.

5. The claim must be filed on or before the 1st Monday in August for the ensuing fiscal year. The claim remains effective until the ownership of the property is changed or the system is removed.

6. Not later than May 25 of the assessment year or, if May 25 falls on a Saturday or Sunday or on a legal holiday, on the Monday or day other than Saturday, Sunday or a legal holiday, respectively, next following, the county assessor shall provide the auditor of his county a statement showing the property description or parcel number, name and address of claimant, and the dollar allowances of each claim granted for the assessment year under this section with respect to property placed upon the secured tax roll. After the county auditor extends the secured tax roll, he shall adjust the roll to show the dollar allowances and the amounts of tax, if any, remaining due as a result of claims granted under this section. By not later than June 15 of the assessment year, the county auditor shall deliver the extended tax roll, so adjusted, to the ex officio tax receiver of the county.

7. The ex officio tax receiver of the county shall make such corresponding adjustments to the individual property tax bills, prepared from the secured tax rolls, as are necessary to notify the taxpayers of the allowances granted them under this section.

8. After granting the claim of a taxpayer whose building is placed upon the unsecured tax roll, the county assessor shall determine the amount of the allowance to which the claimant is entitled under this section and shall credit the claimant's individual property tax account accordingly.

9. The county assessor shall send to the department, for each assessment year, a statement showing the allowances granted pursuant to this section. Upon verification and audit of the allowances, the department shall authorize reimbursement to the county by the state from money appropriated for the purpose.

10. Any person who willfully makes a materially false statement on a claim filed under this section or produces false proof, and as a result of that false statement or false proof, a tax allowance is granted to a person not entitled to the allowance, is guilty of a gross misdemeanor.

Sec. 33. NRS 361.833 is hereby amended to read as follows:

361.833 1. A senior citizen whose home is placed upon the [secured or unsecured] tax roll, who has owned and maintained as his primary residence the home for at least 6 months immediately preceding the filing of his claim and whose household income is not more than $12,000 is entitled to an allowance against the property tax accrued against his home to the extent determined by the percentage shown opposite his household income range on the schedule below:

INCOME RANGE If the Amount of Applicant's Household Income Is Over		But Not Over	PERCENT TAX Percent of Claimant's Property Tax Accrued Allowable as Assistance Is
$0	—	$4,500	90
4,500	—	7,000	75
7,000	—	10,000	50
10,000	—	11,000	25
11,000	—	12,000	10

2. The amount of the allowance must not exceed the amount of the accrued property tax paid by the claimant or $500, whichever is less.

Sec. 34. NRS 361.841 is hereby amended to read as follows:

361.841 1. The county assessor or the department shall examine each claim, granting or denying it, and if granted, shall determine the credit or refund to which the claimant is entitled.

2. Upon examination, if:

(a) The claim is denied, the county assessor shall notify the claimant by registered or certified mail.

(b) The claim is granted, the county assessor shall notify the claimant not later than June 30 of the amount of credit which may be applied to his property taxes accrued or the amount of refund he is entitled to receive for rent deemed to constitute accrued property tax.

3. If a claim is submitted to the department and:

(a) The claim is denied, the department shall so notify the claimant by registered or certified mail.

(b) The claim is granted, the department shall:

(1) If the claimant's home is on the [secured or unsecured] tax roll, notify him not later than June 30 of the amount of credit which may be applied to his property taxes accrued.

(2) Pay to a home renter not later than August 15 the refund to which he is entitled.

Sec. 35. NRS 361A.140 is hereby amended to read as follows:

361A.140 1. On or before the first Monday in [June] *October* of each year, the Nevada tax commission shall:

(a) Define the classifications of agricultural real property.

(b) Determine the valuations for each classification on the basis provided in NRS 361.325.

(c) Prepare a bulletin listing all classifications and values thereof for the following assessment year.

2. The county assessors shall classify agricultural real property utilizing the definitions and applying the appropriate values published in the tax commission's bulletin.

Sec. 36. 1. NRS 361.564 and 361.5641 are hereby repealed.

2. NRS 361.562 is hereby repealed.''.

Amend the bill as a whole by inserting a new section, designated section 37, following section 7, to read as follows:

''Sec. 37. Sections 1, 3, 8, 10, 26, 27, 28 and 30 and subsection 2 of section 36 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Amend the title of the bill to read as follows:

"An Act relating to the property tax; providing for assessment of real and personal property as of July 1 of the assessment year; providing for a supplemental assessment roll containing assessments made after July 1 but before or on March 31 of the assessment year; providing for the assessment and immediate collection of the tax on certain migratory property; providing for the equalization of property on the supplemental assessment roll; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Substantially revises certain procedures for local assessment of property.".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Assemblyman May moved that Assembly Bill No. 419 be re-referred to the Committee on Taxation.

Motion carried.

Bill ordered reprinted and engrossed.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Joint Resolution No. 13 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 341 and Senate Joint Resolution No. 13 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 361.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1033.

Amend sec. 16, page 9, line 29, by deleting "permanent" and inserting "common or preferred".

Amend sec. 16, page 10, line 26, by deleting "permanent capital" and inserting "common or preferred".

Amend the bill as a whole by adding a new section, designated section 33, following section 32, to read as follows:

"Sec. 33. Section 16 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Joint Resolution No. 11.

Resolution read second time.

The following amendments were proposed by the Committee on Taxation:

Amendment No. 1019.

Amend the resolution, page 1, by deleting lines 7 through 9 and inserting: "allowed by federal law for the payment of the state tax. The com-".

Amend the title of the resolution by deleting the third and fourth lines and inserting: "for the tax against the federal estate tax.".

Amend the summary of the resolution by deleting "limit and purpose." and inserting "limit.".

Amendment No. 1018.

Amend the resolution, page 1, by deleting lines 19 and 20 and inserting: "and payable in full under federal law. The State of Nevada shall:

1. Accept the determination by the United States of the amount of the taxable estate without further audit.

2. Accept payment of the tax in installments proportionate to any which may be permitted under federal law.

3. Impose no penalty for such a deferred payment.

4. Not charge interest on a deferred or belated payment at any rate higher than may be provided in similar circumstances by federal law.".

Assemblyman May moved the adoption of the amendments.

Remarks by Assemblyman May.

Amendments adopted.

Resolution ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 565.

Bill read second time.

The following amendment was proposed by Assemblyman Berkley:

Amendment No. 1073.

Amend sec. 2, page 2, by deleting lines 1 through 21 and inserting:

"(c) A person who owns [less than seven] *fewer than two* dwelling units, except with respect to the provisions of NRS 118A.200, 118A.300, 118A.340, 118A.450 and 118A.460.

(d) Residence in an institution, public or private, incidental to detention or the provisions of medical, geriatric, educational, counseling, religious or similar service.

(e) Occupancy under a contract of sale of a dwelling unit or the property of which it is a part, if the occupant is the purchaser or a person who succeeds to the purchaser's interest.

(f) Occupancy by a member of a fraternal or social organization in the portion of a structure operated for the benefit of the organization.

(g) Occupancy in a hotel or motel for less than 30 consecutive days unless the occupant clearly manifests an intent to remain for a longer continuous period.

(h) Occupancy by an employee of a landlord whose right to occupancy is solely conditional upon employment in or about the premises.

(i) Occupancy by an owner of a condominium unit or by a holder of a proprietary lease in a cooperative apartment.

(j) Occupancy under a rental agreement covering premises used''.

Amend sec. 3, page 3, line 29, by deleting: ''*less than $100 nor*''.

Amend sec. 3, page 3, line 31, after ''*sum*'' and inserting ''*, if any,*''.

Amend sec. 5, page 4, line 34, after ''give'' by inserting ''*oral or*''.

Amend sec. 5, page 5, by deleting line 15 and inserting:

''*(b) Was notified orally or in writing of the condition by the tenant.*''.

Amend sec. 6, page 5, by deleting lines 27 through 32 and inserting: ''addition to any other remedy, [recover his actual damages.] *may:*

(a) Recover his actual damages; and

(b) Receive a sum to be fixed by the court of not more than $1,000.

2. In determining a sum, if any, to be awarded under paragraph (b) of''.

Amend the bill as a whole by deleting section 7 and inserting:

''Sec. 7. (Deleted by amendment.)''.

Amend the bill as a whole by renumbering sections 10 and 11 as sections 12 and 13 and inserting new sections, designated sections 10 and 11, following section 9, to read as follows:

''Sec. 10. Chapter 118A of NRS is hereby amended by adding thereto a new section which shall read as follows:

The landlord shall, before he records a deed transferring any dwelling unit:

1. Transfer to his successor in writing the portion of any tenant's security deposit or other money held by him which remains after making any deductions allowed under NRS 118A.240; or

2. Notify his successor in writing that he has returned all such deposits to the tenant.

Sec. 11. NRS 4.060 is hereby amended to read as follows:

4.060 1. Except as provided in subsection 2, each justice of the peace shall charge and collect the following fees:

(a) On the commencement of any action or proceeding in the justice's court, other than in actions commenced under chapter 73 of NRS, to be paid by the party commencing the action:

If the sum claimed does not exceed $200	$15.00
If the sum claimed exceeds $200 but does not exceed $1,250	25.00
In all other civil actions	25.00

(b) For the preparation and filing of an affidavit and order in an action commenced under chapter 73 of NRS:

If the sum claimed does not exceed $500	10.00
If the sum claimed exceeds $500 but does not exceed $1,000	20.00

(c) On the appearance of any defendant, or any number of

defendants answering jointly, to be paid by him or them on filing the first paper in the action, or at the time of appearance:

In all civil actions	$10.00
For every additional defendant, appearing separately	5.00

(d) No fee may be charged where a defendant or defendants appear in response to an affidavit and order issued under the provisions of chapter 73 of NRS.

(e) For the filing of any paper in intervention	5.00
(f) For the issuance of any writ of attachment, writ of garnishment, writ of execution, or any other writ designed to enforce any judgment of the court	5.00
(g) For filing a notice of appeal, and appeal bonds	10.00

One charge only shall be made if both papers are filed at the same time.

(h) For issuing supersedeas to a writ designed to enforce a judgment or order of the court	10.00
(i) For preparation and transmittal of transcript and papers on appeal	10.00
(j) For celebrating a marriage and returning the certificate to the county recorder	20.00
(k) For entering judgment by confession	5.00
(l) For filing a notice of nonpayment of rent	10.00
(m) For the issuance of an order of eviction for nonpayment of rent	15.00

2. A justice of the peace shall not charge or collect any of the fees set forth in subsection 1 for any service rendered by him to the county in which his township is located.

3. Except as otherwise provided by an ordinance adopted pursuant to the provisions of NRS 244.207, the justice of the peace shall, on or before the 5th day of each month, account for and pay to the county treasurer all fees collected during the preceding month, except fees which he may retain as compensation.''.

Amend sec. 11, page 9, by deleting lines 39 and 40 and inserting: ''and 40.260 may be served either:''.

Amend the bill as a whole by deleting sections 12 through 15 and inserting a new section, designated section 14, following section 11, to read as follows:

''Sec. 14. Section 11 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Amend the title of the bill, second and third lines, by deleting: ''removing an exemption for landlords having fewer than seven dwellings;'' and inserting: ''reducing the number of dwellings allowed for an exemption;''.

Assemblyman Berkley moved the adoption of the amendment.

Remarks by Assemblymen Berkley, Banner, Francis, Bourne, Getto, Dini and Jeffrey.

Assemblyman Dini moved that Assembly Bill No. 565 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Dini, Berkley, Francis and Jeffrey.

Motion carried.

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

Assembly in recess at 11:57 a.m.

ASSEMBLY IN SESSION

At 11:58 a.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 669, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 321, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which were referred Assembly Concurrent Resolutions Nos. 55, 56; Senate Concurrent Resolutions Nos. 2, 10, 29, 42, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

EDWARD J. KOVACS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 55.
Assemblyman Price moved the adoption of the resolution.
Resolution adopted unanimously.

Assembly Concurrent Resolution No. 56.
Assemblyman Price moved the adoption of the resolution.
Resolution adopted unanimously.

Senate Concurrent Resolution No. 2.
Assemblyman Kovacs moved the adoption of the resolution.
Resolution adopted unanimously.

Senate Concurrent Resolution No. 10.
Assemblyman Bourne moved the adoption of the resolution.
Resolution adopted unanimously.

Senate Concurrent Resolution No. 29.
Assemblyman Kovacs moved the adoption of the resolution.
Resolution adopted unanimously.

Senate Concurrent Resolution No. 42.

Assemblyman May moved the adoption of the resolution.

Resolution adopted unanimously.

SECOND READING AND AMENDMENT

Assembly Bill No. 669.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1115.

Amend section 1, page 1, line 4, by deleting "shall not be" and inserting "is not".

Amend section 1, page 1, line 5, by deleting "[shall] *must*" and inserting "must" in Roman type.

Amend section 1, page 1, line 7, by deleting: "[an individual] *a natural person*" and inserting "a natural person".

Amend section 1, page 1, by deleting line 8 and inserting: "tion must be signed and verified by him.".

Amend section 1, page 1, line 9, by deleting "[shall]".

Amend section 1, page 1, by deleting line 10 and inserting: "must be signed and verified by each natural person com-".

Amend section 1, page 1, line 11, by deleting "such" and inserting "the".

Amend section 1, page 1, line 13, by deleting "[shall] *must*" and inserting "must" in Roman type.

Amend section 1, page 1, line 14, by deleting "[shall] *must*" and inserting "must" in Roman type.

Amend section 1, page 2, by deleting line 4 and inserting:

"(b) The application must be accompanied by a certi-".

Amend section 1, page 2, line 10, by deleting "[prior to] *before*" and inserting "before" in Roman type.

Amend section 1, page 2, line 12, by deleting "prescribed" and inserting "prescribes".

Amend section 1, page 2, line 14, by deleting "*an*" and inserting "an" in Roman type.

Amend section 1, page 2, by deleting line 15 and inserting: "cer, notice of that fact must forthwith be given in writing".

Amend section 1, page 2, line 18, by deleting "[shall] *must*" and inserting "must" in Roman type.

Amend section 1, page 2, line 20, by deleting "canine security" and inserting "dog".

Amend section 1, page 2, by deleting line 21 and inserting: "handler, the application must be accompanied by".

Amend section 1, page 2, line 22, by deleting "a field examination" and inserting: "an examination in the field.".

Amend section 1, page 2, line 23, by deleting: "field examination or cancels the field" and inserting: "examination or cancels the".

Amend section 1, page 2, line 24, by deleting "[prior to] *before*" and inserting "before" in Roman type.

Amend section 1, page 2, line 25, by deleting "[shall] *must*" and inserting "may" in Roman type.

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bills Nos. 584 and 275 be taken from their positions on the General File and placed on the General File immediately following Senate Joint Resolution No. 13.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 341.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1108.

Amend sec. 6, page 3, by deleting lines 7 through 10.

Amend the bill as a whole by adding a new section, designated section 6.5, following section 6, to read as follows:

"Sec. 6.5. *Participating in any plan or practice in which patients are required to select a dentist from a preselected group constitutes unprofessional conduct unless those patients are also offered a plan which provides them with a reasonable opportunity to select a dentist of their own choice. The board may not revoke the license of a person who participates in such a plan or practice but may take any other action authorized in this chapter regarding unprofessional conduct.*".

Amend the bill as a whole by renumbering sections 29 through 31 as sections 30 through 32 and adding a new section designated section 29, following section 28, to read as follows:

"Sec. 29. NRS 631.350 is hereby amended to read as follows:

631.350 [The] *Except as provided in section 6.5 of this act, the* board may refuse to issue a license to any person, or may revoke or suspend the license or renewal certificate issued by it, of any person, or may fine a person it has licensed, upon proof satisfactory to the board that the person has:

1. Engaged in the illegal practice of dentistry or dental hygiene;
2. Engaged in unprofessional conduct; or
3. Violated any regulations adopted by the board or the provisions of this chapter.".

Amend the bill as a whole by adding a new section designated section 33, following section 31, to read as follows:

"Sec. 33. Sections 6.5 and 29 of this act shall become effective on July 1, 1984.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Joint Resolution No. 13.

Resolution read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1025.

Amend the resolution, page 2, by deleting lines 2 and 3 and inserting: "lative counsel to Lee Teng-Hui, governor of Taiwan, Kao Yu-Jen, speaker of the Provincial Legislature of Taiwan, Nich Wen-Ya,".

Amend the title of the resolution, second line, by deleting "Taiwan." and inserting: "Taiwan, the Republic of China.".

Assemblyman Bogaert moved the adoption of the amendment.

Remarks by Assemblyman Bogaert.

Amendment adopted.

Resolution ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 584.

Bill read third time.

The following amendment was proposed by the Committee on Natural Resources, Environment and Agriculture:

Amendment No. 1124.

Amend section 1, page 1, by deleting lines 2 through 18 on page 1 and lines 1 through 15 on page 2 and inserting:

"705.160 1. [If any railway company or corporation, or owner or operator of a railroad in this state, fails, within 90 days after receipt of the same, to effect settlement of claims received for damage arising from the injury or killing of livestock upon its track or right of way by the running of engines or cars over or against such animals in this state as provided in NRS 705.150 to 705.200, inclusive, then the owner of such injured or killed animals may sue and recover damages for such injury or killing from any such railway company or corporation or the owner or operator of such railroad in any court of competent jurisdiction in the county in which such animal or animals was or were killed or injured, together with 7 percent interest per annum on the value of the animal or animals so injured or killed as established in such action, from the date such animal or animals was or were killed or injured until paid.

2. Any person having a claim arising under the provisions of NRS 705.150 to 705.200, inclusive, may assign the same in writing to any other claimant or person for value, or for the purpose of suit, who shall thereupon have all the rights and remedies of the assignor.

3. In case it becomes necessary on the part of the owner or owners to establish a claim for any animal or animals so killed or injured in any such action, he shall have the right to establish the actual and market value of such animal or animals or the actual damage so sustained.]

If livestock is injured or killed on the tracks or right of way of any railroad in this state, by the running of engines or cars over or against

the animal, the owner of the animal may bring an action against the railway company or corporation of the owner or operator of the railroad in any court of competent jurisdiction in the county where the animal was killed or injured, to recover his damages for the death or injury of the animal.

2. Before commencing any action pursuant to subsection 1, the owner of the livestock may attempt to settle his claim by:

(a) Demanding, in writing, his damages and accrued costs; and

(b) Mailing the demand by certified mail to the last known address of the company, corporation, owner or operator .

3. If the company, corporation, owner or operator fails to settle the claim made pursuant to subsection 2 within 45 days after it is received, by paying the amount demanded by the owner of the livestock, then, in any action brought by the owner pursuant to subsection 1, if:

(a) He establishes that his damages, excluding his accrued costs, equaled or exceeded the amount he demanded from the company, corporation, owner or operator; and

(b) He otherwise establishes his claim,

the court shall enter judgment against the company, corporation, owner or operator for:

(1) Twice the value of each animal so killed or injured;

(2) Twelve percent interest per annum on the value of the animal or animals from the date they were killed or injured until the final judgment is satisfied;

(3) Attorney's fees; and

(4) Court costs.

4. In any judgment entered pursuant to subsection 3, the court shall also order the defendant to pay $20 to the department of agriculture for each inspection of the brand of the animal so killed or injured, if such an inspection was conducted by the department.

5. In any action to establish a claim for an animal so killed or injured, the owner of the animal may establish the actual and market value of the animal or the actual damage sustained by him.

6. Any person with a claim arising pursuant to NRS 705.150 to 705.200, inclusive, may assign it, in writing, to any other person for value or for the purpose of suit and, upon the assignment, the assignee has the rights and remedies of the assignor.''.

Assemblyman Marvel moved the adoption of the amendment.

Remarks by Assemblyman Marvel.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 275.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1110.

Amend sec. 4, page 3, by deleting lines 12 and 13 and inserting:

''2. Money deposited in the fund which is recovered from a forfeiture of assets pursuant to section 7 of [this act] *Assembly Bill No. 189*

of this session must be used for the counseling and medical treatment of minors who are involved in the production of pornography in violation of NRS 200.509 or section 3 or 4 of [this act.] *Assembly Bill No. 189 of this session.*

3. If on June 30 of any year the fund contains more than [$250,000,] *$350,000,* excluding any money deposited which is recovered from a forfeiture of assets pursuant to section 7 of [this act,] *Assembly Bill No. 189 of this session,* the state treasurer shall distribute the excess to''.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 270.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Assembly Bill No. 270:

YEAS—37.

NAYS—Bourne, Francis, Humke, Nicholas, Stewart—5.

Assembly Bill No. 270 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 465.

Bill read third time.

Remarks by Assemblyman Bourne.

Roll call on Assembly Bill No. 465:

YEAS—42.

NAYS—None.

Assembly Bill No. 465 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 467.

Bill read third time.

Remarks by Assemblymen Bogaert, Sader and Dini.

Assemblyman Bourne moved that Assembly Bill No. 467 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bourne.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Assembly Bill No. 140 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bremner.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 534.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Assembly Bill No. 534:

YEAS—42.
NAYS—None.

Assembly Bill No. 534 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 86.
Bill read third time.
Remarks by Assemblyman Nicholas.
Roll call on Assembly Bill No. 86:

YEAS—42.
NAYS—None.

Assembly Bill No. 86 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 334.
Bill read third time.
Remarks by Assemblyman Beyer.
Roll call on Assembly Bill No. 334:

YEAS—39.
NAYS—Berkley, Collins, May—3.

Assembly Bill No. 334 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 412.
Bill read third time.
Remarks by Assemblyman Berkley.
Roll call on Assembly Bill No. 412:

YEAS—35.
NAYS—Bergevin, Bourne, Humke, Joerg, Stewart, Swain—6.
Not voting—Dini.

Assembly Bill No. 412 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 491.
Bill read third time.
Remarks by Assemblyman Stone.

Roll call on Assembly Bill No. 491:

YEAS—38.

NAYS—Beyer, Bilyeu, Dini, Joerg—4.

Assembly Bill No. 491 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 642.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Assembly Bill No. 642:

YEAS—41.

NAYS—Bilyeu.

Assembly Bill No. 642 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:23 p.m.

ASSEMBLY IN SESSION

At 12:40 p.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 391, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 8 C, which is attached to and hereby made a part of this report.

FLOYD R. LAMB	ROBERT E. PRICE
JAMES I. GIBSON	CHARLES W. JOERG
NORMAN D. GLASER	JOHN W. MARVEL
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 8 C.

Amend sec. 12, page 4, line 32, by deleting the period and inserting: "*, except, in a county having a population of less than 17,000, the commission may, if convinced that the recipient is financially unable to do so, provide such a grant with less than equal matching money provided by the recipient.*".

Amend sec. 18, page 6, line 18, by deleting the period and inserting: "*, except, in a county having a population of less than 17,000, the commission may, if convinced that the recipient is financially unable*

to do so, provide such a grant with less than equal matching money provided by the recipient.''.

Amend sec. 23, page 8, line 19, by deleting ''*seven*'' and inserting: ''*six*''.

Amend sec. 23, page 8, by deleting lines 31 and 32.

Assemblyman Jeffrey moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 391.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 18.

Resolution read third time.

Roll call on Assembly Joint Resolution No. 18:

YEAS—36.

NAYS—Banner, Berkley, Bourne, Craddock, Sedway, Swain—6.

Assembly Joint Resolution No. 18 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 32.

Resolution read third time.

Remarks by Assemblyman Thomas.

Roll call on Assembly Joint Resolution No. 32:

YEAS—35.

NAYS—Coffin, Craddock, Fay, Humke, May, Sader, Stewart—7.

Assembly Joint Resolution No. 32 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 2.

Resolution read third time.

Remarks by Assemblyman May.

Roll call on Senate Joint Resolution No. 2:

YEAS—36.

NAYS—Berkley, Beyer, Bilyeu, DuBois, Stewart, Stone—6.

Senate Joint Resolution No. 2 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Senate Bill No. 93 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bremner.

Motion carried.

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

Assembly in recess at 12:49 p.m.

ASSEMBLY IN SESSION

At 12:54 p.m.
Mr. Speaker presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 162.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Senate Bill No. 162:
YEAS—42.
NAYS—None.

Senate Bill No. 162 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 277.
Bill read third time.
Remarks by Assemblyman Coffin.
Roll call on Senate Bill No. 277:
YEAS—42.
NAYS—None.

Senate Bill No. 277 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 412.
Bill read third time.
Remarks by Assemblyman Sader.
Roll call on Senate Bill No. 412:
YEAS—42.
NAYS—None.

Senate Bill No. 412 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 184.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 184:
YEAS—42.
NAYS—None.

Senate Bill No. 184 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 276.
Bill read third time.
Remarks by Assemblyman Fay.

Roll call on Senate Bill No. 276:

YEAS—42.
NAYS—None.

Senate Bill No. 276 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 395.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Senate Bill No. 395:

YEAS—42.
NAYS—None.

Senate Bill No. 395 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 433.

Bill read third time.

Remarks by Assemblymen Getto, Nicholas, Stone and Bergevin.

Roll call on Senate Bill No. 433:

YEAS—40.
NAYS—Stewart, Stone—2.

Senate Bill No. 433 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 375.

Bill read third time.

Remarks by Assemblymen Kovacs, Bremner and Stewart.

Assemblyman Bremner moved that Senate Bill No. 375 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Senate Bill No. 454.

Bill read third time.

Remarks by Assemblyman Coffin.

Roll call on Senate Bill No. 454:

YEAS—42.
NAYS—None.

Senate Bill No. 454 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 468.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 468:

YEAS—41.

NAYS—Collins.

Senate Bill No. 468 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 330.

Bill read third time.

Remarks by Assemblyman Bilyeu.

Roll call on Senate Bill No. 330:

YEAS—42.

NAYS—None.

Senate Bill No. 330 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 342.

Bill read third time.

Remarks by Assemblyman Fay.

Roll call on Senate Bill No. 342:

YEAS—42.

NAYS—None.

Senate Bill No. 342 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 356.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Senate Bill No. 356:

YEAS—41.

NAYS—None.

Not voting—Francis.

Senate Bill No. 356 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 16, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 44, 78, 133, 191, 273, 304, 366, 382, 404, 418, 490, 549, 555, 582, 592, 596, 598, 618.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 116, 248, 283, 303, 315, 320, 374, 378, 409, 448, 468, 523, 531, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 31.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Joint Resolution No. 29, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 131, 429.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolution No. 24.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 24.

Assemblyman Brady moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assemblyman Dini moved that Senate Bill No. 377 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Dini.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 377.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1136.

Amend section 1, page 2, by deleting lines 9 through 13 and inserting:

"4. This [chapter shall not be construed to supersede or conflict with existing or future contracts of employment dealing with wages, hours and working conditions.] *section does not supersede or conflict with existing contracts of employment for employees hired to work 24 hours a day in a home setting. Any future classification in which an employee will be required to work 24 hours a day in a home setting must be approved in advance by the commission.*".

Amend the bill as a whole by renumbering section 2 as section 3 and adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. Section 29 of Senate Bill No. 232 of this session is hereby amended to read as follows:

Sec. 29. NRS 284.180 is hereby amended to read as follows:

284.180 1. The legislature declares that since uniform salary and wage rates and classifications are necessary for an effective and efficient personnel system, the pay plan must set the official rates applicable to all positions in the classified service, but the establishment of the pay plan in no way limits the authority of the legislature relative to budgeted appropriations for salary and wage expenditures.

2. Credit for overtime work directed or approved by an agency

head or his representative must be earned at the rate of time and one-half, except for those employees determined by the [division] *department* to be executive, administrative, professional or supervisory. Executive, administrative, professional and supervisory employees earn credit for overtime at their regular straight time rate. Overtime is considered time worked in excess of an 8-hour day or a 40-hour week, except for:

(a) Those employees who choose and are approved for a variable workday, in which case overtime will be considered only after working 40 hours in [one] *1* week; and

(b) Those employees who choose and are approved for a variable 80-hour work schedule within a biweekly pay period, in which case overtime will be considered only after working 80 hours biweekly.

3. An agency may experiment with innovative workweeks upon the approval of the head of the agency and after majority consent of the affected employees.

4. This section does not supersede or conflict with existing contracts of employment for employees hired to work 24 hours a day in a home setting. Any future classification in which an employee will be required to work 24 hours a day in a home setting must be approved in advance by the commission.''.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Concurrent Resolution No. 24, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

EDWARD J. KOVACS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 24.

Assemblyman Kovacs moved the adoption of the resolution.

Resolution adopted unanimously.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 5 p.m.

Assembly in recess at 1:23 p.m.

ASSEMBLY IN SESSION

At 5:11 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 666, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 572, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 16, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted the report of the second Committee on Conference concerning Assembly Bill No. 391.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bill No. 153; Senate Joint Resolution No. 25.

Also, I have the honor to inform your honorable body that the Senate appointed Senators Wilson, Hickey and Bilbray as a first Committee on Conference concerning Senate Bill No. 220.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Senate Bill No. 278.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 307, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

THOMAS J. HICKEY	COURTENAY SWAIN
DONALD R. MELLO	DAVID E. HUMKE
LAWRENCE E. JACOBSEN	BARBARA ZIMMER
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Swain moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 307.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 278, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

ROBERT E. (BOB) ROBINSON	PAUL W. MAY
KEITH ASHWORTH	JOHN E. (JACK) JEFFREY
THOMAS J. HICKEY	BOB THOMAS
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman May moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 278.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 16, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 307.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 374.

The following Senate amendment was read:

Amendment No. 986.

Amend sec. 2, page 1, line 4, by deleting "*agreement*" and inserting: "*oral or written contract for temporary insurance*".

Amend sec. 4, page 1, line 14, by deleting: "*All binders must be in writing*" and inserting: "*All written binders must be made*".

Amend sec. 4, page 1, line 16, by deleting: "*One copy of a binder*" and inserting: "*If a binder is in writing, one copy*".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 374.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 303.

The following Senate amendment was read:

Amendment No. 960.

Amend sec. 18, pages 6 through 8, by deleting lines 29 through 42 on page 6, lines 1 through 43 on page 7 and lines 1 through 13 on page 8 and inserting:

"Sec. 18. (Deleted by amendment.)".

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 303.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 409.

The following Senate amendment was read:

Amendment No. 850.

Amend the bill as a whole by deleting section 1 and renumbering sections 2 and 3 as sections 1 and 2.

Amend sec. 2, page 1, by deleting lines 9 and 10 and inserting:

"*(b) Results from the accidental death of another human being as a result of a violation of NRS 484.348.*".

Amend sec. 3, page 2, by deleting lines 2 and 3 and inserting:

"200.070 Except under the circumstances provided in NRS 484.377 : [, involuntary]

1. Involuntary manslaughter is the killing of a".

Amend sec. 3, page 2, by deleting lines 11 through 13 and inserting:

"*2. If a person dies otherwise than of natural causes as a result*

of a violation of NRS 484.348, and no person intentionally caused his death, the driver is guilty of involuntary manslaughter.''.

Amend the bill as a whole by adding new sections designated sections 3 and 4, following section 3, to read as follows:

''Sec. 3. NRS 484.348 is hereby amended to read as follows:

484.348 1. Any driver of a motor vehicle who willfully fails or refuses to bring his vehicle to a stop, or who otherwise flees or attempts to elude a peace officer in a readily identifiable vehicle of any police department or regulatory agency, when given a visual or audible signal to bring his vehicle to a stop , is guilty of a misdemeanor.

2. The signal by the peace officer described in subsection 1 may be by flashing red lamp or siren.

3. *Except under the circumstances provided in NRS 484.377, if a violation of this section results in substantial bodily harm to any person, the driver is guilty of a gross misdemeanor.*

4. As used in this section, ''regulatory agency'' means any agency granted police or enforcement powers under NRS 407.065, 472.040, 481.048, 481.049, 501.349, 565.155, 703.155 or 706.8821.

Sec. 4. NRS 484.377 is hereby amended to read as follows:

484.377 1. It is unlawful for any person to *:* [drive any vehicle in:

(a) Willful]

(a) Drive a vehicle in willful or wanton disregard of the safety of persons or property.

(b) [An] *Fail willfully or refuse to stop his vehicle under the circumstances provided in subsection 1 of NRS 484.348.*

(c) Drive a vehicle in an unauthorized speed contest on a public highway.

A violation of this subsection constitutes reckless driving.

2. Any person who does any act or neglects any duty imposed by law while driving or in actual physical control of any vehicle in willful or wanton disregard of the safety of persons or property, [which] *if the* act or neglect of duty proximately causes the death of or substantial bodily harm to any person other than himself, shall be punished by imprisonment in the state prison for not less than 1 year nor more than 6 years, or by a fine of not more than $5,000, or by both fine and imprisonment.''.

Amend the title of the bill to read as follows:

''An Act relating to motor vehicles; providing penalties for the accidental death of or injury to a person which is caused by a driver who is fleeing from a peace officer; and providing other matters properly relating thereto.''.

Amend the summary of the bill to read as follows: ''Provides penalties for death or injury caused by driver fleeing from peace officer.''.

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 409.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 320.

The following Senate amendment was read:

Amendment No. 1093.

Amend sec. 3, page 3, line 14, after "demonstrates" by inserting: "a financial hardship or".

Assemblyman Kerns moved that the Assembly concur in the Senate amendment to Assembly Bill No. 320.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 523.

The following Senate amendment was read:

Amendment No. 891.

Amend section 1, page 1, by deleting lines 9 through 11.

Amend sec. 2, page 2, by deleting lines 3 through 5.

Assemblyman Sader moved that the Assembly concur in the Senate amendment to Assembly Bill No. 523.

Remarks by Assemblyman Sader.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 315.

The following Senate amendment was read:

Amendment No. 854.

Amend the bill as a whole by adding a new section, designated section 3, following section 2, to read as follows:

"Sec. 3. This act shall become effective upon passage and approval.".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 315.

Remarks by Assemblyman Thompson.

Motion carried.

Bill ordered enrolled.

Assembly Joint Resolution No. 29.

The following Senate amendment was read:

Amendment No. 839.

Amend the resolution, page 2, by deleting lines 5 through 7.

Amend the resolution, page 2, by deleting lines 24 through 26.

Amend the title of the resolution, third line, by deleting: "and requesting the state engineer to consider" and inserting a period.

Amend the title of the resolution by deleting the fourth line.

Amend the summary of the resolution to read: "Requests continued cooperation of U.S. Bureau of Land Management in water matters.".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Joint Resolution No. 29.

Motion carried.

Resolution ordered enrolled.

Assembly Bill No. 448.

The following Senate amendment was read:

Amendment No. 840.

Amend section 1, page 2, by deleting lines 25 through 32 and inserting:

"*3. Using the proceeds of these filing fees, the county shall establish* and maintain a [county mining map that shall] *map of the mining claims in the county that must* accurately record the location of all mining claims filed after July 1, 1971 . [, which shall be] *The map is* a public record as provided in chapter 239 of NRS.".

Assemblyman Price moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 448.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 116.

The following Senate amendment was read:

Amendment No. 885.

Amend the bill as a whole by deleting section 1 and renumbering section 2 as section 1.

Amend sec. 2, page 2, line 5, by deleting "*for*".

Amend sec. 2, page 2, by deleting line 6 and inserting "*shall*".

Amend sec. 2, page 2, by inserting after line 15:

"*3. Any applicant for employment who is, and any employee who becomes, a volunteer fireman must disclose that fact to his prospective or present employer, as the case may be.*".

Amend the title of the bill, second line, by deleting: "responding to an emergency;" and inserting: "their service as volunteer firemen;".

Amend the title of the bill by deleting the third and fourth lines and inserting: "action against an employer under certain circumstances;".

Amend the title of the bill, fifth line, by deleting "compensation;".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 116.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 283.

The following Senate amendment was read:

Amendment No. 1054.

Amend sec. 2, page 2, by deleting lines 12 through 15 and inserting: "ers . [or, when the commission so directs, by the deputy commissioner, except as provided in this subsection, or an administrative assistant. The deputy commissioner shall not hear cases involving a change of rates.]".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 283.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 468.

The following Senate amendment was read:

Amendment No. 988.

Amend section 1, page 1, line 2, after "*commissioners*" by inserting: "*of any county whose population is less than 250,000*".

Amend sec. 2, page 2, by deleting line 9 and inserting: "the provisions set forth as sections 3 and 4 of this act.".

Amend sec. 2, page 2, by deleting line 10 and inserting:

"Sec. 3. *1. The board of county commissioners of any county whose population is less than 250,000 shall appoint members for*".

Amend the bill as a whole by renumbering section 3 as section 5 and adding a new section designated section 4, following section 2, to read as follows:

"Sec. 4. *The board of county commissioners of any county having a population of 250,000 or more shall, in each ordinance which establishes an unincorporated town pursuant to NRS 269.500 to 269.625, inclusive, provide for:*

1. Appointment by the board of county commissioners of three or five qualified electors who are residents of the unincorporated town to serve as the town advisory board.

2. Terms for members of the town advisory board, which must expire on the first Monday in January of each odd-numbered year.

3. Removal of a member of the town advisory board if the board of county commissioners finds that his removal is in the best interest of the residents of the unincorporated town, and for appointment of a member to serve the unexpired term of the member so removed.

4. The duties of the town advisory board, which are to:

(a) Assist the board of county commissioners in governing the unincorporated town by acting as liaison between the residents of the town and the board of county commissioners; and

(b) Advise the board of county commissioners on matters of importance to the unincorporated town and its residents.

5. The board of county commissioners may provide by ordinance for compensation for the members of the town advisory board.".

Amend the title of the bill, second line, by deleting "advisory boards;" and inserting: "advisory boards in certain counties;".

Amend the summary of the bill, first line, by deleting the period and inserting "of certain counties.".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 468.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 442.

The following Senate amendments were read:

Amendment No. 706.

Amend sec. 2, page 1, line 15, by deleting "$2" and inserting "[$2] *$4*".

Amend sec. 2, page 1, line 17, by deleting "6" and inserting "[6] *9*".

Amend sec. 2, page 2, line 1, by deleting "$2" and inserting "[$2] *$3*".

Amend sec. 2, page 2, line 3, by deleting "$2" and inserting "[$2] *$3*".

Amend the title of the bill, third line, after "fund;" by inserting: "increasing the fees for certain licenses and endorsements;".

Amend the summary of the bill by deleting "fund." and inserting: "fund and increases certain fees.".

Amendment No. 801.

Amend sec. 2, page 2, by deleting line 9 and inserting: "in section 6 of [this act] *Senate Bill No. 249 of the 62nd session* unless he is exempt under that section.".

Amend the bill as a whole by adding a new section designated section 3, following section 2, to read as follows:

"Sec. 3. Section 2 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Bremner moved that the Assembly concur in the Senate amendments to Assembly Bill No. 442.

Remarks by Assemblyman Bremner.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 378.

The following Senate amendments were read:

Amendment No. 851.

Amend sec. 3, page 1, by inserting after line 20:

"*3. Any suit brought against a public body pursuant to subsection 1 or 2 to require compliance with the provisions of this chapter must be commenced within 60 days after the action was taken by that public body in violation of this chapter.*".

Amendment No. 981.

Amend sec. 3, page 1, line 6, after "*suit*", by inserting: "*to have an action taken by a public body declared void or*".

Amend sec. 3, page 1, line 16, after "*seek to*", by inserting: "*have an action taken by the public body declared void, to*".

Amend sec. 3, page 2, line 5, after "*chapter*", by inserting: "*or to have an action declared void*".

Amend sec. 3, page 2, line 6, after "*action*", by inserting "*objected to*".

Amend the title of the bill, third line, by deleting: "enjoin violations of such requirements;" and inserting: "maintain a suit to have such actions enjoined or declared void;".

Assemblyman Dini moved that the Assembly concur in the Senate amendments to Assembly Bill No. 378.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 364, 452, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 441, 449, 451, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 358, 363, 418, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 50.

Assemblyman Price moved the adoption of the resolution.

Remarks by Assemblyman Price.

Resolution adopted unanimously, as amended.

SECOND READING AND AMENDMENT

Assembly Bill No. 572.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 657.

Amend section 1, page 1, by deleting lines 4 through 7 and inserting "ing all employees] *:*

1. Any employee of the personnel department *;* [or its equivalent.]

2. The person whom a local government employer has designated as chief negotiator in matters of employee relations; or

3. A member of the chief negotiator's staff if the staff does not exceed four persons.".

Assemblyman Schofield moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Assembly Bill No. 545 be taken from the Chief Clerk's desk and re-referred to the Committee on Commerce.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 364.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1107.

Amend sec. 24, page 6, by deleting lines 39 through 43 and inserting:

"Sec. 24. The organization for dental care shall use not more than 25 percent of its prepaid charges or premiums for marketing and administrative".

Amend the bill as a whole by deleting section 39 and renumbering section 40 as section 39.

Amend the bill as a whole by deleting section 41.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 452.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1109.

Amend sec. 2, page 2, line 1, by deleting "*One*" and inserting "*Two*".

Amend sec. 2, page 2, line 2, by deleting "*Two*" and inserting "*Three*".

Assemblyman Schofield moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Assembly Bill No. 321 be placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING.

Assembly Bill No. 275.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Assembly Bill No. 275:

YEAS—42.

NAYS—None.

Assembly Bill No. 275 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 109.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1143.

Amend sec. 2, page 2, line 3, after "be", by inserting "possessed and".

Amend sec. 2, page 2, line 6, by deleting "physician," and inserting "prescribing practitioner".

Amend sec. 2, page 2, line 33, by deleting "administer" and inserting "prescribe".

Amend sec. 5, page 3, line 23, by deleting "Section" and inserting "Sections 2 and".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 341.

Bill read third time.

Remarks by Assemblyman Chaney.

Roll call on Senate Bill No. 341:

YEAS—42.

NAYS—None.

Senate Bill No. 341 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 13.

Resolution read third time.

Roll call on Senate Joint Resolution No. 13:

YEAS—38.

NAYS—Berkley, Fay, Stone, Swain—4.

Senate Joint Resolution No. 13 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 666.

Bill read third time.

Remarks by Assemblymen Bogaert and Bourne.

Roll call on Assembly Bill No. 666:

YEAS—42.

NAYS—None.

Assembly Bill No. 666 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 358.

Bill read third time.

Remarks by Assemblyman DuBois.

Roll call on Senate Bill No. 358:

YEAS—42.
NAYS—None.

Senate Bill No. 358 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 363.
Bill read third time.
Remarks by Assemblymen Kerns, Dini and Bourne.
Roll call on Senate Bill No. 363:

YEAS—41.
NAYS—None.
Not voting—Fay.

Senate Bill No. 363 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 418.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Senate Bill No. 418:

YEAS—40.
NAYS—None.
Not voting—Collins, Thomas—2.

Senate Bill No. 418 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 441.
Bill read third time.
Remarks by Assemblyman Bergevin.
Roll call on Senate Bill No. 441:

YEAS—41.
NAYS—Thomas.

Senate Bill No. 441 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 449.
Bill read third time.
Remarks by Assemblyman May.
Roll call on Senate Bill No. 449:

YEAS—41.
NAYS—Stone.

Senate Bill No. 449 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 451.
Bill read third time.
Remarks by Assemblyman Getto.
Roll call on Senate Bill No. 451:

YEAS—41.
NAYS—None.
Absent—Brady.

Senate Bill No. 451 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 584.
Bill read third time.
Remarks by Assemblymen Marvel, Dini, Bilyeu and Nevin.
Roll call on Assembly Bill No. 584:

YEAS—41.
NAYS—None.
Absent—Brady.

Assembly Bill No. 584 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 377.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Senate Bill No. 377:

YEAS—41.
NAYS—None.
Absent—Brady.

Senate Bill No. 377 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 321.
Bill read third time.
Remarks by Assemblymen Dini and Bourne.
Roll call on Assembly Bill No. 321:

YEAS—41.
NAYS—None.
Absent—Brady.

Assembly Bill No. 321 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Joint Resolution No. 11, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be receded from.

JOE NEAL	KENNETH K. REDELSPERGER
RICHARD E. BLAKEMORE	JOSEPH E. DINI, JR.
WILBUR FAISS	ROBERT M. SADER
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Redelsperger moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Joint Resolution No. 11.

Remarks by Assemblyman Redelsperger.

Motion carried.

Assemblyman Bremner moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 6:12 p.m.

ASSEMBLY IN SESSION

At 6:21 p.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation:

Assembly Bill No. 671—An Act relating to taxicabs; specifying the authority of the taxicab authority to adopt regulations governing the equipment and condition of vehicles; repealing statutory provisions governing the same subject; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 167, 527, 529, 530, 554, 571, 599, 611, 638; Senate Bills Nos. 346, 373, 428.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Cleo Judd, Messrs. Steve Kaylor, Steve Sevenau, Cliff Ferry, Denton Gehr, Ms. Ginny Young and students from Reed High School, Sparks, Nevada: Tina Bourns, Marena Burke, David Carsten, Hye Won Chang, Cheryl Combe, Tracey DeMars, Natalie Frook, Tammy Holleman, Charles Huang, Susan Judd, Margaret Lavender, Beth Miller, Pat Perry, Beth Pierpoint, Marcus Prazniak, Roderic Rogers, Sherry Sandberg, Sally Schricker, Diana Siegel, Bart Williams, Dane Young, Steve Buffone, Darryl Strong, Katrina Ferry, Aref Bhuiya, Keith Comphel, April

Dunn, Ty Endicott, Erik Fields, Andy Gaither, Jim Gallagher, Jim Garrison, Robert Hatcher, Brenda Hoiles, Kristi Kaylor, John Holley, Ramil Lechadores, John Lopez, Paul McCollum, Robyn Mitchell, Kurt Moore, Jim Nelson, Debra Peden, Robert Reed, Shawn Reed, Denae Reetz, Suzanne Sevenau, Brooke Shirkey, Gayla Stapleton, David Swanson, Jim Warner, Boris Zema, Doug Akana, John Allen, Mark Best, Todd Bosecker, Lee Buzis, David Calmese, Barbara Carter, Rick Clark, Sue Cook, James Coon, Jim Cryer, Lisa Davidek, Kim Dubose, David Empey, Mark Graves, Mike Griffith, Saloma Helget, Patricia Helling, Karen Hendricks, Chris Holthusen, Tommy Macdiarmid, Tobie Martinez, Marleen Morgan, Diana Nicholson, Dana Palka, Roxy Ramacher, Lance Semenko, Sherry Skidmore, Karl Taborski, Paula Thomas, Lineni Uaine, Curt Vantrees, Patti Vaughn, John Wagner, Erin Williams and Mark Zambalis.

Assemblyman Jeffrey moved that the Assembly adjourn until Tuesday, May 17, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 6:23 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-FIRST DAY

CARSON CITY (Tuesday), May 17, 1983

Assembly called to order at 11:05 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all,

Since this legislative session began, way back in January, we have come before you each legislative day to ask your blessing upon these elected public servants of the people of Nevada.

And we again come before you this day to ask that you bless them, especially during these last few hectic days of long hours and difficult decisions.

But today we would also pause to ask your special blessing upon and to give thanks for the dedicated service to us and to our state of six very special people: Mouryne, Ruth, Amy, Carol, Joan and Linda. We thank you for their long hours and their competence and their patience and understanding.

Lord in your mercy—hear this our prayer of intercession and thanksgiving.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, to which was referred Senate Bill No. 291, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERT M. SADER, *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 440, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL W. MAY, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 17, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 462, 463.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 462.

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

Motion carried.

Senate Bill No. 463.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dini, Redelsperger and Getto:

Assembly Concurrent Resolution No. 59—Directing the legislative commission to study and develop a statewide plan for disasters caused by fire.

Assemblyman Dini moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assemblyman Stewart moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:11 a.m.

ASSEMBLY IN SESSION

At 11:16 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Economic Development, Tourism and Mining:

Assembly Concurrent Resolution No. 60—Designating May 29 through June 4, 1983, as Tourism Week.

WHEREAS, Tourism is vital to the State of Nevada, contributing to its economic prosperity and employment; and

WHEREAS, Tourism contributes substantially both to personal growth, health and education, and to an appreciation of the geography, history and people of the State of Nevada; and

WHEREAS, Tourism enhances national understanding and goodwill; and

WHEREAS, As incomes and leisure time continue to increase, tourism will become an increasingly important aspect of the daily lives of the people of the State of Nevada; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the legislature designates May 29 through June 4, 1983, as Tourism Week; and be it further

Resolved, That the legislature requests all Nevada citizens to observe the week with appropriate ceremonies and activities.

Assemblyman Price moved the adoption of the resolution.

Remarks by Assemblyman Price.

Resolution adopted unanimously.

By the Committee on Ways and Means:

Assembly Concurrent Resolution No. 61—Approving the execution of a lease of certain state land to the Southern Nevada Association for the Handicapped.

Assemblyman Thompson moved the adoption of the resolution.

Remarks by Assemblyman Thompson.

Resolution adopted unanimously.

Assemblyman Stone moved that Assembly Bill No. 629 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman Stone.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 629.

Bill read third time.

The following amendment was proposed by Assemblyman Stone:

Amendment No. 1151.

Amend sec. 2, page 1, line 4, by deleting "*zone.*" and inserting: "*zone except on a Saturday, Sunday, school holiday or vacation or another day on which school is not in session.*".

Assemblyman Stone moved the adoption of the amendment.

Remarks by Assemblyman Stone.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 669.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Assembly Bill No. 669:

YEAS—42.

NAYS—None.

Assembly Bill No. 669 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 572.

Bill read third time.

Remarks by Assemblymen Dini, Schofield and Bergevin.

Roll call on Assembly Bill No. 572:

YEAS—23.

NAYS—Bergevin, Beyer, Bilyeu, Bourne, Brady, Chaney, Collins, Dini, DuBois, Getto, Ham, Joerg, Marvel, Nevin, Nicholas, Redelsperger, Stone, Thomas, Zimmer—19.

Assembly Bill No. 572 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Senate Bill No. 364 be taken from the General File and re-referred to the Committee on Ways and Means.

Remarks by Assemblyman Bremner.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 109.

Bill read third time.

Remarks by Assemblymen Stone and Price.

Roll call on Senate Bill No. 109:

YEAS—36.

NAYS—Bergevin, Bourne, Chaney, Collins, Kovacs, Price—6.

Senate Bill No. 109 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 11:28 a.m.

ASSEMBLY IN SESSION

At 11:32 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Senate Joint Resolution No. 11 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Schofield.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 361.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 361:

YEAS—40.

NAYS—None.

Not voting—Humke, Price—2.

Senate Bill No. 361 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 452.

Bill read third time.

Assemblyman Jeffrey moved that Senate Bill No. 452 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 361 was passed be rescinded.

Remarks by Assemblyman Jeffrey.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 361 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 662, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 453, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 87, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 541, 664, 668; Senate Bill No. 86, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 508, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 17, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 585, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 129 and requests a conference, and appointed Senators Ashworth, Glover and Faiss as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 444.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 444.

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

Motion carried.

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

Assembly in recess at 11:38 a.m.

ASSEMBLY IN SESSION

At 12:02 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 17, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 275, 383, 483, 533, 544, 633, 635, 660.

Also, I have the honor to inform your honorable body that the Senate on this day refused to adopt the report of the second Committee on Conference concerning Assembly Joint Resolution No. 11.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 112, 184, 306.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Banner, Francis and Fay as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 129.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 585.

The following Senate amendment was read:

Amendment No. 1099.

Amend sec. 10, page 7, line 33, by deleting: "Chapters 704 and 706 of NRS" and inserting: "Chapter 703 *of NRS*".

Amend the bill as a whole by adding a new section designated section 13, following section 12, to read as follows:

"Sec. 13. Section 10 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Chaney moved that the Assembly concur in the Senate amendment to Assembly Bill No. 585.

Motion carried.

Bill ordered enrolled.

SECOND READING AND AMENDMENT

Assembly Bill No. 541.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1140.

Amend section 1, page 1, line 2, by deleting "$10,000" and inserting "$28,750".

Assemblyman Bremner moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 662.

Bill read second time.

The following amendment was proposed by Assemblyman Kovacs:

Amendment No. 1139.

Amend sec. 2, page 1, line 5, by deleting "*2 cents*" and inserting "*1 cent*".

Amend sec. 2, page 1, line 12, by deleting "*2 cents,*" and inserting "*1 cent,*".

Amend sec. 3, page 2, by deleting lines 30 through 32 and inserting: "*population of the entity bears to the total population of all the*".

Amend sec. 3, page 2, line 43, by deleting: "*methods, and may be expended*" and inserting "*methods.*".

Amend sec. 3, page 2, by deleting lines 44 and 45.

Amend the title of the bill to read:

"An Act relating to the motor vehicle fuel tax; allowing a county and the incorporated cities in it to increase that tax; basing the rate of that tax on the proportion of the population of the governmental entities in a county which are participating in the tax; apportioning the receipts of that tax according to the population of participating entities; requiring the receipts of the tax to be expended on the repair or restoration of existing paved streets; and providing other matters properly relating thereto.".

Assemblyman Kovacs moved the adoption of the amendment.

Remarks by Assemblyman Kovacs.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 664.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1144.

Amend section 1, page 1, by deleting lines 1 through 3 and inserting:

"Section 1. In addition to the other purposes authorized by law for its allocation, the interim finance committee is hereby authorized to allocate not more than $500,000 to the University of Nevada System, during the fiscal biennium 1983-1985, for the purpose of supporting".

Amend section 1, page 1, line 4, after "of" by inserting "new".

Amend sec. 2, page 1, lines 7 and 8, by deleting: "from the appropriation made by" and inserting "pursuant to".

Amend sec. 2, page 1, line 9, by deleting "requested" and inserting: "requested, the board of examiners has approved".

Amend sec. 2, page 1, by deleting lines 10 and 11 and inserting: "the expenditure of the money.".

Amend the bill as a whole by deleting section 3.

Amend the title of the bill, first line, by deleting: "making an appropriation from the state general fund" and inserting: "authorizing an allocation from the contingency fund".

Amend the title of the bill, third line, after "of", by inserting "new".

Amend the summary of the bill, first line, by deleting "Makes appropriation" and inserting "Authorizes allocation".

Amend the summary of the bill, second line, after "of", by inserting "new".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 668.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1146.

Amend section 1, page 1, by deleting line 7 and inserting:

"2. *The chief of the motor*".

Amend section 1, page 1, line 8, by deleting "*are*" and inserting "*is*".

Amend the title of the bill, first line, by deleting "chiefs of divisions" and inserting: "the chief of the motor pool division".

Amend the summary of the bill, first line, by deleting "chiefs of divisions" and inserting: "chief of motor pool division".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 86.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1090.

Amend sec. 16, page 5, line 42, by deleting "10" and inserting "[10] *5*".

Amend sec. 16, page 6, line 1, by deleting "[15] *7*" and inserting "15".

Amend sec. 16, page 6, line 12, by deleting "2" and inserting "*5*".

Amend sec. 17, page 6, line 32, by deleting "7" and inserting "[7] *5*"

Amend sec. 17, page 6, line 40, by deleting "7" and inserting "[7] *5*".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Senate Bill No. 436 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Berkley moved that Assembly Bill No. 565 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Remarks by Assemblyman Berkley.

Motion carried.

Assemblyman May moved that Senate Bill No. 440 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman May.

Motion carried.

Assemblyman Bremner moved that Assembly Bill No. 140 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman Bremner.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 565.

Bill read second time.

The following amendment was proposed by Assemblyman Berkley:

Amendment No. 1171.

Amend sec. 2, page 2, by deleting lines 1 through 21 and inserting:

"(c) A person who owns [less than seven] *fewer than five* dwelling units, except with respect to the provisions of NRS 118A.200, 118A.300, 118A.340, 118A.450 and 118A.460.

(d) Residence in an institution, public or private, incidental to detention or the provisions of medical, geriatric, educational, counseling, religious or similar service.

(e) Occupancy under a contract of sale of a dwelling unit or the property of which it is a part, if the occupant is the purchaser or a person who succeeds to the purchaser's interest.

(f) Occupancy by a member of a fraternal or social organization in the portion of a structure operated for the benefit of the organization.

(g) Occupancy in a hotel or motel for less than 30 consecutive days unless the occupant clearly manifests an intent to remain for a longer continuous period.

(h) Occupancy by an employee of a landlord whose right to occupancy is solely conditional upon employment in or about the premises.

(i) Occupancy by an owner of a condominium unit or by a holder of a proprietary lease in a cooperative apartment.

(j) Occupancy under a rental agreement covering premises used''.

Amend sec. 3, page 3, line 29, by deleting: ''*less than $100 nor*''.

Amend sec. 3, page 3, line 31, after ''*sum*'' and inserting '', *if any,*''.

Amend sec. 5, page 4, line 34, after ''give'' by inserting ''*oral or*''.

Amend sec. 5, page 5, by deleting line 15 and inserting:

''*(b) Was notified orally or in writing of the condition by the tenant.*''.

Amend sec. 6, page 5, by deleting lines 27 through 32 and inserting: ''addition to any other remedy, [recover his actual damages.] *may:*

(a) Recover his actual damages; and

(b) Receive a sum to be fixed by the court of not more than $1,000.

2. In determining a sum, if any, to be awarded under paragraph (b) of''.

Amend the bill as a whole by deleting section 7 and inserting:

''Sec. 7. (Deleted by amendment.)''.

Amend the bill as a whole by renumbering sections 10 and 11 as sections 12 and 13 and inserting new sections, designated sections 10 and 11, following section 9, to read as follows:

''Sec. 10. Chapter 118A of NRS is hereby amended by adding thereto a new section which shall read as follows:

The landlord shall, before he records a deed transferring any dwelling unit:

1. Transfer to his successor in writing the portion of any tenant's security deposit or other money held by him which remains after making any deductions allowed under NRS 118A.240; or

2. Notify his successor in writing that he has returned all such deposits to the tenant.

Sec. 11. NRS 4.060 is hereby amended to read as follows:

4.060 1. Except as provided in subsection 2, each justice of the peace shall charge and collect the following fees:

(a) On the commencement of any action or proceeding in the justice's court, other than in actions commenced under chapter 73 of NRS, to be paid by the party commencing the action:

If the sum claimed does not exceed $200	$15.00
If the sum claimed exceeds $200 but does not exceed $1,250	25.00
In all other civil actions	25.00

(b) For the preparation and filing of an affidavit and order in an action commenced under chapter 73 of NRS:

If the sum claimed does not exceed $500	$10.00
If the sum claimed exceed $500 but does not exceed $1,000	20.00

(c) On the appearance of any defendant, or any number of defendants answering jointly, to be paid by him or them on filing the first paper in the action, or at the time of appearance:

In all civil actions	10.00
For every additional defendant, appearing separately	5.00

(d) No fee may be charged where a defendant or defendants appear in response to an affidavit and order issued under the provisions of chapter 73 of NRS.

(e) For the filing of any paper in intervention	5.00
(f) For the issuance of any writ of attachment, writ of garnishment, writ of execution, or any other writ designed to enforce any judgment of the court	5.00
(g) For filing a notice of appeal, and appeal bonds	10.00

One charge only shall be made if both papers are filed at the same time.

(h) For issuing supersedeas to a writ designed to enforce a judgment or order of the court	10.00
(i) For preparation and transmittal of transcript and papers on appeal	10.00
(j) For celebrating a marriage and returning the certificate to the county recorder	20.00
(k) For entering judgment by confession	5.00
(l) For filing a notice of nonpayment of rent	10.00
(m) For the issuance of an order of eviction for nonpayment of rent	15.00

2. A justice of the peace shall not charge or collect any of the fees set forth in subsection 1 for any service rendered by him to the county in which his township is located.

3. Except as otherwise provided by an ordinance adopted pursuant to the provisions of NRS 244.207, the justice of the peace shall, on or before the 5th day of each month, account for and pay to the county treasurer all fees collected during the preceding month, except fees which he may retain as compensation.''.

Amend sec. 11, page 9, by deleting lines 39 and 40 and inserting: ''and 40.260 may be served either:''.

Amend the bill as a whole by deleting sections 12 through 15 and inserting a new section, designated section 14, following section 11, to read as follows:

''Sec. 14. Section 11 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Amend the title of the bill, second and third lines, by deleting: ''removing an exemption for landlords having fewer than seven

dwellings;'' and inserting: ''reducing the number of dwellings allowed for an exemption;''.

Assemblyman Berkley moved the adoption of the amendment.

Remarks by Assemblymen Berkley and Francis.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 140.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1138.

Amend sec. 3, page 2, line 19, by deleting: ''*subsections 2 and 3,*'' and inserting ''subsection 2,''.

Amend sec. 3, page 2, line 42, by deleting the period and inserting: ''*and the depreciated value must not be reduced below $100.*''.

Amend sec. 3, page 3, by deleting lines 41 through 45 and inserting: ''*this act. To determine the original price from which the depreciation is calculated, the department of motor vehicles shall use:*

(a) The manufacturer's suggested retail price in Nevada, excluding options and extras, as of the time the particular make and year model is first offered for sale in Nevada.

(b) If the vehicle is specially constructed, the original retail price to the original purchaser of the vehicle as evidenced by such document or documents as the department may require.

(c) The procedures set forth in subsections 3 and 4 of NRS 371.050; or

(d) If none of these applies, its own estimate from any available information.''.

Amend sec. 9.5, page 7, line 42, by deleting: ''*subsections 2 and 3,*'' and inserting ''*subsection 2,*''.

Amend sec. 9.5, page 8, line 20 by deleting the period and inserting: ''*and the depreciated value must not be reduced below $100.*''.

Amend sec. 13, page 11, by deleting lines 31 through 35 and inserting: ''*ule in section 9.5 of this act. To determine the original price from which the depreciation is calculated, the department of motor vehicles shall use:*

(a) The manufacturer's suggested retail price in Nevada, excluding options and extras, as of the time the particular make and year model is first offered for sale in Nevada.

(b) If the vehicle is specially constructed, the original retail price to the original purchaser of the vehicle as evidenced by such document or documents as the department may require.

(c) The procedures set forth in subsections 3 and 4 of NRS 371.050; or

(d) If none of these applies, its own estimate from any available information.''.

Amend the bill as a whole by adding new sections, designated sections 14.3 and 14.6, following section 14, to read as follows:

"Sec. 14.3. NRS 374.785 is hereby amended to read as follows:

374.785 1. All fees, taxes, interest and penalties imposed and all amounts of tax required to be paid to counties under this chapter must be paid to the department in the form of remittances payable to the department.

2. The department shall deposit the payments in the state treasury to the credit of the sales and use tax account in the state general fund.

3. The state controller, acting upon the collection data furnished by the department, shall, each month, from the sales and use tax account in the state general fund:

(a) Transfer one-half of 1 percent of all fees, taxes, interest and penalties collected in each county during the preceding month to the appropriate account in the state general fund as compensation to the state for the costs of collecting the tax for the counties.

(b) Determine the amount of money equal to the taxes and any fees, interest and penalties which relate to the operation of each project for the generation, transmission or distribution of electriity, or to any other electrical facilities, whose construction is commenced on or after January 1, 1982. For the purposes of this paragraph, "commencement of construction" has the meaning ascribed to it in NRS 704.840. This amount must be apportioned:

(1) Ten percent to the county in which the project is located; and

(2) The remainder among all counties of the state in proportion to their respective populations.

The legislature finds and declares that the consumption of electricity is roughly proportionate to population and that this apportionment fairly distributes revenues arising from this consumption, and takes fair account of the effect of the generation of power on the natural resources of the state as a whole.

(c) Determine for each county the amount of money equal to the fees, taxes, interest and penalties collected in the county pursuant to this chapter during the preceding month less the amount transferred pursuant to paragraph (a) of this subsection and the sum of any amounts determined pursuant to paragraph (b).

(d) Transfer the total amount of taxes collected pursuant to this chapter during the preceding month from out-of-state businesses not maintaining a fixed place of business within this state to the state distributive school fund.

(e) Transfer the amount owed to each county to the intergovernmental trust fund and remit the money to the credit of the county school. district fund.

4. For the purpose of the distribution required by this section, the occasional sale of a vehicle shall be deemed to take place in the county to which the privilege tax payable by the buyer upon that vehicle is distributed.

Sec. 14.6. NRS 377.055 is hereby amended to read as follows:

377.055 1. The department, shall monthly determine for each county an amount of money equal to the sum of:

(a) Any fees and any taxes, interest and penalties which derive from

the basic city-county relief tax collected in that county pursuant to this chapter during the preceding month, less the amount transferred to the state general fund pursuant to subsection 3 of NRS 377.050 and the sum of any amounts distributed pursuant to NRS 377.053; and

(b) That proportion of the total amount of taxes which derive from that portion of the tax levied at the rate of one-half of 1 percent collected pursuant to this chapter during the preceding month from out-of-state business not maintaining a fixed place of business within this state which the population of that county bears to the total population of all counties which have in effect a city-county relief tax ordinance.

2. The department shall apportion and the state controller shall remit the amount determined for each county in the following manner:

(a) If there is one incorporated city in the county, apportion the money between the city and the county general fund in proportion to the respective populations of the city and the unincorporated area of the county.

(b) If there are two or more cities in the county, apportion all such money among the cities in proportion to their respective populations.

(c) If there are no incorporated cities in the county, remit the entire amount to the county treasurer for deposit in the county general fund.

3. The provisions of subsection 2 do not apply to Carson City, where the treasurer shall deposit the entire amount determined for the city and received from the state controller in the geneeral fund.

4. For the purpose of the distribution required by this section, the occasional sale of a vehicle shall be deemed to take placed in the county to which the privilege tax payable by the buyer upon that vehicle is distributed.''.

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 291.

Bill read third time.

Remarks by Assemblyman Sader.

Roll call on Senate Bill No. 291:

YEAS—42.

NAYS—None.

Senate Bill No. 291 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 508.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1154.

Amend the bill as a whole by adding a new section designated as section 31.5, following section 31, to read as follows:

''Sec. 31.5. Title 32 of NRS is hereby amended by adding thereto

a new chapter to consist of the provisions set forth as sections 32 to 64, inclusive, of this act.''.

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 453.

Bill read third time.

Remarks by Assemblyman Humke.

Roll call on Senate Bill No. 453:

YEAS—42.

NAYS—None.

Senate Bill No. 453 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 436.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Senate Bill No. 436:

YEAS—42.

NAYS—None.

Senate Bill No. 436 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 5 p.m.

Assembly in recess at 12:25 p.m.

ASSEMBLY IN SESSION

At 5:08 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 404, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 17, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 52.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 43, 414, 458.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Vergiels and Jeffrey:

Assembly Concurrent Resolution No. 62—Directing the drivers' license division of the department of motor vehicles to license drivers with impaired vision who drive safely through the use of bioptic telescopic devices.

Assemblyman Brady moved the adoption of the resolution.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 43.

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

Motion carried.

Senate Bill No. 414.

Assemblyman Brady moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

Senate Bill No. 458.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and Assembly Bills Nos. 541 and 668 be declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 629.

Bill read third time.

Remarks by Assemblymen Stone and May.

Roll call on Assembly Bill No. 629:

YEAS—33.

NAYS—Collins, Dini, Jeffrey, Malone, May, Schofield, Stewart, Zimmer—8.

Absent—Chaney.

Assembly Bill No. 629 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Assembly Bill No. 87 be placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 404.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Senate Bill No. 404:

YEAS—40.
NAYS—Bilyeu, Stone—2.

Senate Bill No. 404 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Assembly Bill No. 541.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Assembly Bill No. 541:

YEAS—42.
NAYS—None.

Assembly Bill No. 541 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 668.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Assembly Bill No. 668:

YEAS—42.
NAYS—None.

Assembly Bill No. 668 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 87.
Bill read third time.
Remarks by Assemblyman Ham.
Roll call on Assembly Bill No. 87:

YEAS—42.
NAYS—None.

Assembly Bill No. 87 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assemblyman Bremner moved that the Assembly recess subject to the call of the Chair.
Motion carried.

Assembly in recess at 5:22 p.m.

ASSEMBLY IN SESSION

At 5:29 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 423, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was re-referred Senate Bill No. 364, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

ROGER BREMNER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 17, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 136, 151, 557, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 448 and requests a conference, and appointed Senators Glover, Townsend and Raggio as a first Committee on Conference to meet with a like committee of the Assembly.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Senate Bill No. 364 be placed on the General File.

Motion carried.

Assemblyman Jeffrey moved that all rules be suspended and Assembly Bill No. 664 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Jeffrey moved that Senate Bill No. 86 be placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Dini moved that Assembly Bill No. 418 be returned from enrollment.

Motion carried.

Assemblyman Dini moved that the vote whereby Assembly Bill No. 418 was passed be rescinded.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 364.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 364:

YEAS—42.
NAYS—None.

Senate Bill No. 364 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 664.
Bill read third time.
Remarks by Assemblymen Kovacs, Bremner and Redelsperger.
Roll call on Assembly Bill No. 664:

YEAS—42.
NAYS—None.

Assembly Bill No. 664 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 418.
Bill read third time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 1179.
Amend section 1, page 1, by deleting lines 2 through 4 and inserting:
"349.340 1. No bonds may be refunded hereunder unless the holders thereof voluntarily surrender them for".
Amend section 1, page 1, line 6, by deleting "15" and inserting "25".
Amend section 1, page 1, by deleting lines 8 and 9 and inserting: "the securities within that period.
2. the maturity of any bond refunded may not be extended".
Amend section 1, page 1, line 10, by deleting "over 15" and inserting "beyond 25".
Amend section 1, page 1, line 18, by deleting: "as from time to time amended,".
Amend sec. 3, page 3, line 7, by deleting "unless they".
Amend sec. 3, page 3, by deleting line 8.
Amend sec. 3, page 3, line 9, by deleting "and".
Amend sec. 3, page 3, line 11, by deleting "15" and inserting "25".
Amend sec. 3, page 3, lines 14 and 15, be deleting "over 15" and inserting "beyond 25".
Assemblyman Dini moved the adoption of the amendment.
Remarks by Assemblyman Dini.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 508.
Bill read third time.
Remarks by Assemblymen Chaney and Swain.
Roll call on Assembly Bill No. 508:
YEAS—42.
NAYS—None.

Assembly Bill No. 508 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Senate Bill No. 423.
Bill read second time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 1169.
Amend section 1, page 1, line 5, by deleting "*take other actions*" and inserting "*franchises*".
Assemblyman Dini moved the adoption of the amendment.
Remarks by Assemblyman Dini.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

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

Assembly in recess at 5:49 p.m.

ASSEMBLY IN SESSION

At 5:50 p.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 248.
The following Senate amendment was read:
Amendment No. 956.
Amend section 1, page 1, by deleting lines 1 through 5 and inserting:
"Section 1. NRS 321.001 is hereby amended to read as follows:
321.001 1. The division of state lands shall acquire and hold in the name of the State of Nevada all lands and interests in land owned or required by the state except:
(a) Lands or interests used or acquired for highway purposes;
(b) Lands or interests the title to which is vested in the board of regents of the University of Nevada; or
(c) Offices outside state buildings leased by the chief of the buildings and grounds division of the department of general services for the use of state officers and employees, and shall administer all lands it holds which are not assigned for administration to another state agency.

2. If additional land or an interest in land is required for the use of any state agency except the department of transportation or the University of Nevada, the agency shall select a site approved by the state public works board, obtain an appraisal of the land to be acquired, and obtain the approval of the legislature if required by law. The division of state lands shall then obtain the land or interest by negotiation or if necessary by exercising the state's power of eminent domain. Title must be taken in the name of the State of Nevada.

3. The division of state lands may acquire and hold land and interests in land required for any public purpose, including the production of public revenue. Title must be taken in the name of the State of Nevada.''.

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

''Sec. 2. Chapter 322 of NRS is hereby amended by adding thereto a new section which shall read as follows:

The state land registrar may lease for private development any land except contract land owned by the State of Nevada to produce public revenue. Such a lease may be for a term not to exceed 99 years.''.

Amend the title of the bill, first, second and third lines, by deleting: ''acquire land for sale or lease'' and inserting: ''acquire and lease land''.

Amend the summary of the bill, first line, by deleting: ''purchase urban land to lease'' and inserting ''lease land''.

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 248.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 151.

The following Senate amendment was read:

Amendment No. 1122.

Amend sec. 3, page 4, line 23, by adding after the period following ''counties'': ''*The rate of the tax must not exceed:*

(a) In any county having a population of 250,000 or more, 1 percent of the valuation shown on the building permit for single-family residences.

(b) In any county having a population of less than 250,000, 2 percent of the valuation shown on the building permit for single-family residences.''.

Amend sec. 3, page 4, lines 32 through 34 by deleting: ''*which must not exceed 1 percent of the valuation on the building permit for single-family residences,*''.

Amend sec. 3, page 5, lines 16 and 17, by deleting: ''*of 10 percent per year,*'' and inserting:

''*at which the city or county has invested the money in the fund,*''.

Amend sec. 4, page 5, line 39, by deleting ''*private*'' and inserting ''*developed*''.

Amend sec. 4, page 5, line 40, by inserting after "*the*" and before "*development*" the words "*planned unit*".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 151.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker pro Tempore appointed Assemblymen Swain, Marvel and Joerg as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 448.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 149, 575; Senate Bills Nos. 5, 48, 83, 122, 131, 166, 194, 197, 224, 248, 259, 270, 273, 274, 303, 354, 355, 371, 387, 410, 426, 427, 429, 438, 465, 469; Assembly Concurrent Resolutions Nos. 18, 24, 31, 53; Senate Concurrent Resolutions Nos. 32, 39; Assembly Resolution No. 15.

Assemblyman Jeffrey moved that the Assembly adjourn until Wednesday, May 18, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 5:55 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-SECOND DAY

CARSON CITY (Wednesday), May 18, 1983

Assembly called to order at 11:15 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all,

Once more we come before you in a prayer of intercession and thanksgiving. Again we ask that you be with, bless, help, and guide the elected members of this assembly.

And, as we did yesterday, we would pause now to remember before you, with thanksgiving, six very special people who have each rendered faithful, efficient, and cheerful service to this assembly: James, Craig, Ramona, Curtis, Gina, and David.

May your blessings be upon them, both now and in the future beyond this session's end, may they dare not only to dream dreams but to pursue them as well.

Lord, in your mercy, bless them, too, and us, and hear this our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 470, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 17, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 91, 276, 277, 341, 412.

MAE LOFTHOUSE
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, May 18, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 233, 380, 536, 538, 543, 562, 569.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 369, 553, 579, 597, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 47, 49.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 473.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 370.

MAE LOFTHOUSE
Assistant Secretary of the Senate

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:21 a.m.

ASSEMBLY IN SESSION

At 11:36 a.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 370.

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

Motion carried.

Senate Bill No. 473.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 140.

Bill read third time.

Remarks by Assemblymen May and Sader.

Roll call on Assembly Bill No. 140:

YEAS—41.

NAYS—Chaney.

Assembly Bill No. 140 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 418.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 418:

YEAS—42.

NAYS—None.

Assembly Bill No. 418 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 565.

Bill read third time.

Remarks by Assemblyman Berkley.

Roll call on Assembly Bill No. 565.

YEAS—38.

NAYS—Bergevin, Bilyeu, Joerg, Marvel—4.

Assembly Bill No. 565 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 662.

Bill read third time.

Remarks by Assemblymen Kovacs, Beyer and Bergevin.

Roll call on Assembly Bill No. 662:

YEAS—39.

NAYS—Beyer, Bogaert, Bourne—3.

Assembly Bill No. 662 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 423.

Bill read third time.

Remarks by Assemblyman Thomas.

Roll call on Senate Bill No. 423:

YEAS—42.

NAYS—None.

Senate Bill No. 423 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 470.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 470:

YEAS—42.

NAYS—None.

Senate Bill No. 470 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 672—An Act making appropriations from the state general fund, the state highway fund and the state insurance fund for the support of the civil government of the State of Nevada for the fiscal years beginning July 1, 1983, and ending June 30, 1984, and beginning July 1, 1984, and ending June 30, 1985; and providing other matters properly relating thereto.

Assemblyman Bremner moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered

engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

By the Committee on Ways and Means:

Assembly Bill No. 673—An Act relating to public schools; increasing the county's tax for the support of public schools; modifying the calculations for the basic support of pupils; apportioning the state distributive school fund for the biennium 1983-1985; making an appropriation; authorizing certain expenditures; and providing other matters properly relating thereto.

Assemblyman Bremner moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Assembly Bill No. 673 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 673.

Bill read third time.

Remarks by Assemblymen Bremner, DuBois, Chaney, Brady, Dini, Joerg, Jeffrey, Thomas, May, Price, Stone, Fay, Getto, Schofield and Sedway.

Assemblyman Coffin requested that the following remarks be entered in the Journal:

ASSEMBLYMAN BREMNER:

This bill provides the state support for Nevada's public schools for the 1983-85 biennium and provides a means to finance those needs. The basic support guarantees per pupil in each of the state's 17 school districts and the basic support guarantees for the special education program units were the subject of many hours of often heated debate in the Ways and Means Committee. The result of our discussions are the recommendations embodied in this act.

The act, as presented, provides for state support for elementary and secondary education, including special education, of $168,143,637 in 1983-84 and $176,311,334 in 1984-85, clearly the largest single expenditure in state government. This state support is a combination of general fund appropriations, federal slot machine tax rebates in excess of $5 million (not including the 20 percent dedicated to the special Higher Education Capital Construction Fund) mineral land lease receipts, sales tax on out-of-state sales, and interest earnings on the Permanent School Fund.

As called for in the Ways and Means Committee's recommendation, average basic support, that is, the weighted average of all the individual county support guarantees, is budgeted to increase a modest 3.8 percent from $1,821 in fiscal year 1982-83 to $1,891 in fiscal year 1983-84 and an additional 4.4 percent in fiscal year 1984-85. These amounts were considered essential to maintain, preserve, and protect our system of elementary and secondary education in this state.

In aggregate, total basic support is recommended at $279.1 million in fiscal year 1983-84 (a 5.6 percent increase) and $292.9 million in fiscal year 1984-85 (a 5.3 percent increase). But perhaps a more meaningful measure of dollars available for support of

education is total dollars available per enrollee. It is estimated that the financing plan being recommended in this act will provide revenues of approximately $2,569 per enrollee in fiscal year 1983-84 and $2,707 per enrollee in fiscal year 1984-85. This compares to the legislatively approved amount for fiscal year 1982-83 of $2,475 per enrollee or a 3.8 percent increase in fiscal year 1983-84 over the approved amount for the current fiscal year and an additional 5.4 percent increase in fiscal year 1984-85 over fiscal year 1983-84.

The act also provides that the number of special education units increase by 75 units over the next biennium from 855 units during the current year (fiscal year 1982-83) to 885 units in fiscal year 1983-84 and 930 units in fiscal year 1984-85. Although it represents an admittedly modest increase, the value of the units is also recommended to increase in fiscal year 1984-85 only from $19,500 per unit to $20,500 per unit.

Regrettably, the Ways and Means Committee was unable to commit additional state funding to additional special education units, or higher valued units, because of the state's economic condition. The 75-unit increase over the biennium, nevertheless, represents the Ways and Means Committee's commitment to this vital function of our educational system.

As many of you probably recall, the 1981 legislature increased the local school support tax from 1 percent to 1.5 percent, thereby increasing the local school districts' dependence on the economic ups and downs associated with reliance on sales tax. And, as you all know, because the economy did not perform well, the school districts also suffered.

This body has already approved a $10.2 million supplemental appropriation in Senate Bill No. 287 caused primarily by lower than anticipated sales tax and you will recall at that time another shortfall in the school fund was anticipated unless a possible increase in mineral land lease receipts was realized to offset the general fund need. Neither this revenue nor the local school support tax showed any dramatic improvement; consequently, this act contains an additional $1.5 million supplemental appropriation to meet the projected shortfall bringing the total supplemental appropriations for the Distributive School Fund to $11.7 million for the current fiscal year.

This act also contains a number of contingency provisions such as monthly apportionment payments regulated by the controller should the state's revenue crisis continue and it also contains an explicit statement of the governor's right to reserve funds, within the Distributive School Fund per NRS 353.225, should the state ever again experience the financial emergency it has this current biennium.

And last but not least, the act contains a 35 cents property tax rate for the support of education for each year of the coming biennium. Although the Ways and Means and Senate Finance Committees have reduced proposed general fund spending in all areas, except the school fund, by $15.5 million over the biennium (excluding the rebates and economic development), it boils down to the fact that a 35 cents property tax rate is necessary to adequately fund the educational package proposed by the Ways and Means Committee.

Not only does the property tax provide more stability to local school districts, but it also allows for more long-term planning, more assurance that school coffers will not suddenly run dry and children will have to bring their own supplies; and more insulation from the economic "roller coaster" the State and Local Governments are now on.

Members of the Senate and Assembly have already reached a tentative consensus on the need for 30 cents property tax rate. What we are asking for today is an additional nickel for education which will generate an additional $5.5 million in fiscal year 1983-84 and (assuming a 10 percent growth in assessed valuation) $6.1 million in fiscal year 1984-85. Our children and the future of this state and the nation are worth that small investment.

ASSEMBLYMAN DUBOIS:

I must rise in opposition to what I consider an insidious scheme to raise the property tax. What we are doing is to earmark, specifically 35 cents for education. I submit to you that we are simply playing kindergarten games with the taxpayers' money. It's a flimflam hoax to make the public believe that somehow, someway, additional funding is going to flow into the school distributive fund. It is more than a flimflam hoax, it's truly a cruel hoax on both the taxpayers and people who are interested in education, which I am sure every member in this house is.

Appropriations for education are set by the basic support guarantee per pupil, that's

where the Ways and Means should have set it, and that appropriation has been made and that is a guarantee to the distributive school fund. The taxing is a complete and separate matter. This is why I kept saying this is, in effect, a hoax on the public. In addition to the support fund that was voted on, or agreed upon, which is a better word, four of us in Ways and Means attempted to even increase that spending, and were voted down. So the issue here is not money for education. The issue here is the property tax, pure and simple. And I cannot and will not vote for a huge new tax burden to be put on the backs of the people.

Out of the governor's proposed budget which, incidentally, includes about $100 million plus increase in spending, Ways and Means has cut less than 2 percent. We have been hearing up here ever since we arrived that we have revenue shortfalls. That's the buzz word, revenue shortfall. I submit to you, the problem is not revenue shortfall, the problem is over-spending, spending over-run, however you want to call it.

Let's consider that we have one out of ten people in the State of Nevada who are out of work. In addition to that we have many families, many people who are barely getting by on the current tax rate. And this house has the gall, the insensitivity, to the desperate needs of these people, not for tax increase but for tax relief. We have the audacity to create a whole new state tax at the rate of 35 cents. And this comes on top of other taxes, local taxes which, in my area, will be another 55 cents. So if you add it all up we are talking about a minimum boost in the property tax rate in my district of 40 percent. That's a 40 percent boost at the very time we should be freeing up money and moving the state out of this deep recession.

I guess the essence of the argument today simply put, the bottom line, is probably a difference in political philosophy. If you vote for this bill you are allowing state government to move serenely along in a business as usual manner, and let the taxpayer be damned. So the lines are drawn, the contest is clear, the choice is very simple. Either you consider the concerns of the taxpayer or vote for an ever-growing, ever-expanding state government in the midst of deep recession. In regard to the 35 cents, I, for one, will stand up for the concerns of the taxpayer who has no position in hearings; who is not heard in committee hearings; who is not heard in these halls; who has no lobby in Carson City, but who is a person that is going to pay the 35 cents. I, for one, will consider that taxpayer, and I urge you to think about your constituents and do the same thing.

ASSEMBLYMAN CHANEY:

Thank you, Mr. Speaker. I rise in support of Assembly Bill No. 673. I think contained in that bill is the assurance that our school system will be solvent over the next two years. I am not surprised but it is kind of disgusting to hear some of the members who have sat through the long debates and the hard work that the committee did trying to develop a budget that we could live with and yet keep the State of Nevada solvent. To say, certainly in the last few hard-working days there were some suggestions made that probably should have been made in the middle of our debate. Some of those things were unreal and they shouldn't have been considered. I think we went into some of the areas that really hurt people to make sure that our state and our budget stayed solvent.

I represent District 7, a little over 18,000 people; 56 percent of those people are homeowners. The average home in my area is worth about $50,000 and about 10 percent of those people are 65 and over. I have about 6,500 students in my district who are going to school. I have no problem going back to my district telling those property owners, those homeowners, asking them for an additonal $8.75 a year over what has been proposed to make sure that our children receive the proper education that we all hope they will receive.

I, for one, support, and hope that all of you can support, the proposal that has been made here to make sure that not only our state remains solvent, but that our school districts will do the same.

ASSEMBLYMAN BRADY:

Thank you, Mr. Speaker. Mr. DuBois said just about everything that needs to be said, so I'll keep my remarks very brief for you. Number one, I'm sorry that we're not in a debate or having a chance to review the appropriations bill. It's the first time since I've served that we haven't had a chance to review it, one, as a committee and number two as a body, and to discuss those issues and to hear the different appropriations, and this point and that. I will be voting against it for that reason. But as far as the 35,

what we are talking here—not only does it not relate to appropriations, it does not relate to education. The 35 cents. Because if I have to put in 35 cents, we know why it's put there. To make good guys and bad guys. We know that by putting the 35 cents in and putting education behind it, all that it does is it allows us to spend more in state government. For those of you who don't serve on Ways and Means, there is a guarantee level put on education. They were guaranteed a certain amount. One of the first things we did when we came to the session, I believe, was to pass, if I remember correctly, $10 million to help pay for that guarantee which we had given to the schools. The same is true this year. So all we are doing by earmarking this for education is allowing state government to grow as it has in the past. It is steadily growing. Now, we talked about budget cuts, then we are getting on here to appropriations. I promised Vergiels I wouldn't do that, so suffice it to say, we are still allowing state government to blow up 4 percent. We are still talking about the growth in state government of over $100 million. I won't go on any more on this issue, but I will be voting against this issue. It's not an issue over education, it's an issue over spending in state government, and by passing this measure, allowing it to increase as we have done in the past.

ASSEMBLYMAN DINI:

Thank you, Mr. Speaker. I would like to take a different approach to this in support of this measure and the 35 cents. I think we have a responsibility to the people in this state when we leave here that we leave the proper funding for the state General Fund and the money for the Distributive School Fund. Now, any fund balances may not be important to a lot of you, but they are important to the people who work for the State of Nevada, for the purveyors that sell to us and getting their money and getting paid in time.

Now, if we have declining revenues, as we have had the past two years (and the figures for the last two or three months show you that the sales tax has not gone up, the other taxes have not gone up) then we are going to come back here, either in a special session or at the next session of the legislature to have to make some fast emergency efforts to shore up the state treasury. We did that this time. We took $20 million from post-retirement, we took $7 million from the highway fund to shore up the state treasury. We speeded up the collection of taxes, so if we don't go for the 35 cents, all you're going to do is cause real havoc at the end of this next biennium, with the state being short of funds to operate properly.

Incidentally, the difference between the 35 cents and 30 cents in the school district in the largest school that I represent, Lyon County, the difference between 30 cents and 35 cents is $145,000 a year in taxes for the school, so it does effect what those school districts can do. A $145,000 loss to Lyon County would be a disaster, which is an already underfunded county.

ASSEMBLYMAN JOERG:

Thank you, Mr. Speaker. I must rise in opposition to this measure. You know, we are really testing the big lie here today. I don't know who is going to win, but if you tell this big lie long enough and often enough, somebody may believe it some day. What we are saying here is that 35 cents is going to education. That is the big lie of this session. If the educators in this room, and I see several of them sitting back here who really believe that, then I suggest that we have found the reason why some of our kids cannot read and write. With the passage of this measure we will have raised taxes over $130 million this session at all levels. Now, I submit, with the passage of this 35 cents that would be $150 for every man, woman and child in this state. Now, who are we talking about? Aren't the taxpayers of this state people too? I don't understand that. We are raising, on an average family of four, taxes by $600 a year. That is $50 per month. How will some of these young kids that are just starting out and have young families handle that? Are we going to prevent them from buying houses? The property tax, with the passage of this measure, would be some $40 million more than what was raised totally in 1979. In addition to that, the last session of the legislature increased the sales tax by 64 percent. So what we are doing now is just hitting the people with both barrels instead of one. We are right back where we were, only we are worse. I would urge every member of this legislature to think for just one minute about what you are doing to the taxpayers.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, I rise in support of this measure. I think it's important to know, at this point, that the budget for education contains no cost-of-living raises for teachers and

administrators. It contains roll-up costs only. My understanding is it will allow step increases in salary for those that haven't topped out in the system yet. It will maintain the school system itself.

This bill is not a hoax. Five cents will fund the difference between the Senate and Assembly proposals for education. If this measure doesn't pass, the school budget will be cut about $8 million in the second biennium.

I have to ask the previous speakers from the minority party how many budgets they moved to cut beyond the majority parties' recommendation in Ways and Means. There has been a lot of posturing earlier in the session on spending cuts. Figures as high as $30 million have been talked about in reference to budget cuts. I ask again if those people posturing for the media and the public advanced any of those cuts before the Ways and Means Committee. I think we all know the answer.

Guaranteed, education means nothing if the funds are not there, if the money isn't raised. I, too, took the position earlier in the session that we would cut budgets as far as possible and raise taxes as little as possible. The Ways and Means Committee worked hard in a bi-partisan effort to cut spending. Everyone was hurt a little bit. Now it is necessary to bite the bullet, stop posturing and accept the responsibility delegated to us by our constituents. This measure is absolutely necessary.

ASSEMBLYMAN THOMAS:

Mr. Speaker, I rise in opposition to the bill, but I wanted to speak about something a little more in depth than just the 35 cents. I could, of course, to be legal, mention 35 cents in every paragraph, whether it fits or not. However, maybe you would be kind enough to indulge me and let me, since I have been waiting several weeks for this. I've got a lot of friends in this room, a lot of colleagues who have worked very hard on this tax package and budgets, and I mean really hard. I don't want to offend any of them because they are good people and they have worked like trojans. But I would like to say that from my point of view, this whole tax matter is a bubblegum and bandaid approach to solving our problems here in Nevada. I think we are going to be repeating this exercise again two years from now, those of us who are here. I think we're going to be going through this again, trying to pick up bits and pieces, 35 cents here, (I did it), 20 cents there, taxing maybe booze and cigarettes again.

I don't want to go on doing that forever. Sooner or later we're going to have to bite the bullet. I use that term quite a bit, and get some kind of a broad-based tax plan which will solve this state's problems for at least ten years or more. I think we could have done that this time, and we didn't do it.

Now, the University of Nevada-Reno, just last week, lost its accreditation in electrical engineering, and at this particular time, when we're on the threshold of a new industrial era here in Nevada.

The Governor is going to be spending lots of money and lots of time in industrial revitalization, industrial diversification; to lose the accreditation in electrical engineering is probably the worst subject that could have ever happened to for us in this state. Our university has two years to get that accreditation back, and it's going to require a substantial investment in equipment and people.

We have got to face the fact that sooner or later we've got to make an investment. If we don't make this investment in the future of this state, we are not going to be able to accommodate the great things that could happen to us. I hate to miss this opportunity this time, it's a shame, and if we let it go by again it's going to be really a shame. Let's face it. Let's have it in the back of our minds and see if we can't work, somehow, towards getting some real solutions to our economic problems in the State of Nevada.

ASSEMBLYMAN MAY:

Mr. Speaker, may I ask the indulgence of the Chair for the same latitude allowed the previous speaker. With your permission, sir. Mr. Speaker, to you and through you to the members of the house, two years ago, through a bi-partisan effort (I was certainly a part of it) this body went from a very stable tax base to one which over the last two years has proved to be completely unstable and unproductive. It was passed in good faith. However, the amazing thing to me today is the same people in this body who supported it so heavily at that time refuse to accept or admit the fact that it is not, and has not, worked. What do they propose instead? A return to a stable tax base, property tax being the cornerstone of that proposal? No, they say. Thirty-five cents is too much money! How much is too much? Is 34 too much, 33, 29, 18, 5?

Have we heard a concrete proposal from them? No, we have not. Mr. Speaker, your

Assembly Committee on Taxation has passed the following measures, other than property taxes. We started a constitutional amendment to provide a vote on the estate tax. We have passed fuel taxes. We have passed room taxes. We have changed the assessment practices to produce more money. We have a constitutional amendment to go before the voters to get more money from the mining industry. We have worked on electrical generating power plants. We are proposing to tax contractors doing work on several projects. We have increased the taxes on cigarettes, certain alcoholic beverages, insurance premiums, and Secretary of State's fees. We have looked at others, casino entertainment, a sales tax on services, an increase in gaming tax revenues, admission taxes, room taxes, container taxes, video games, soft drinks and candy yet unresolved.

Mr. Speaker, I submit to you that the Democrats in this house have taken the initiative and provided the leadership, have accepted, perhaps, the unpleasant responsibility. If it be that it comes down to a party line vote, then so be it, Mr. Speaker. I stand in support and will vote in favor of this measure.

ASSEMBLYMAN BRADY:

I just wanted to mention one thing in response in answer to the questions, first to Mr. Jeffrey. I would point out one thing, that the second year and part of the reason that I think it is mentioned as a hoax is that the 35 cents will not be enough to fund education the second year. Thirty-five cents only raises $5.5 million. With the budget we have in education, we will, it comes up $14 million. If my figures are correct we are still going to be about $9 million short the second year. That was a goof-up in the motion when we made it. The $5 million covers the first year.

As far as alternatives, when we came down and there was a meeting held several weeks ago, where we saw this coming, the revenues weren't coming in just as we wanted, at that time we had a meeting with Taxation. We talked about alternatives. We invited the Governor, at that time, to sit down with us and help adjust those budgets so that we could have a balanced budget. A press conference was held, I understand, several hours later saying he would not discuss budget cuts with us, which should show his unwillingness to meet with us and the budget cuts. We, as Republicans, asked for that to happen. The Governor made it clear to us that he was not interested in any further budget cuts. When the budgets were being closed, I just jotted down very quickly approximately four different motions that were made by Republicans, and I hate to get into a partisan thing, but that's the way it was brought up, and how to balance the budget with across the board cuts, and, like I say, I listed four others besides the across the board cuts. Across the board cut the first year would have been .6 percent of all budgets to be balanced the first year. Slightly more than one-half of one percent would have balanced the budget. That motion was voted down on straight party lines. Then four other motions were made to reduce the budgets, all of them defeated on straight party lines. If any one of those motions would have been accepted, or a combination of them, we wouldn't have to be here debating this issue now, because we would have a balanced budget. In response to Chairman May, he says the tax plan that was submitted two years ago was not a good plan. He was chairman of that committee then, and he is chairman of that committee now. If he says it is a bad way to go and needs to be changed, then all I can say to him is to change it. He has the six votes on that committee to do it, and that is certainly what he is put there to do. So with that challenge to him, if he doesn't like it, then we know what we can do about it.

ASSEMBLYMAN PRICE:

Thank you, Mr. Speaker, to you and through you, in listening to the conversations today on this particular bill, which I rise in support of, I hear about the big lie, and this has been talked about a little bit. So I will only say that the big lie did, in fact, begin two years ago when we took our schools and our cities off of the stable tax base that has been the work horse across this nation for those types of entities and attempted to go to sales tax. In our other small committee, Economic Development, we have had people in from throughout the nation, and outside of the nation to talk to us about economic development. The thing that has come through time and time again, and you can pick up any book and you can look at any scale by any company and education is one of the first things that they look at in a state when they are thinking about moving there. Granted, they are looking at higher education, but that higher education starts with a base, and that base is our K through 12 that we are talking about today. Now, anybody who can stand here and tell me that when we talk about putting a 35 cents base, or any amount of property tax base built into a distributive school fund and that we're not

talking about education, I just simply do not understand it. If the fears are that the State of Nevada is expanding at some rapid pace in government, then I submit that those problems should have been taken care of before they got to this body at this point in time. Now, for those of us who do not serve on the money committees, it's a little bit difficult to follow, but I have read some minutes and I have talked to some of my colleagues, and I have not found any overwhelming effort on the part of my colleagues from the minority party to go seriously, and I say seriously, about cutting that budget before it got to us. My honorable colleague from Carson City who talked about his concerns of the loss of accreditation of our engineering college, and talked about our investment in the future, I begin to think may be talking on our side because today is the one opportunity that we have with this bill right now to invest in our future. I suggest that we take it and make the best of it.

ASSEMBLYMAN STONE:

Thank you, Mr. Speaker. I represent, I think, probably one of the most diverse districts of the state. I have people in my district who live below the poverty level. I have middle income and upper middle income folks, and I have some very wealthy people in my district.

My concern, I think, is valid because 51 percent of those people own or are buying their homes. Many of them are senior citizens, many of them are construction workers. They have been out of work for a long time. I look at the potential impact on my district. I see that, potentially, within a very short period of time, they could be paying as much as 81 cents per $100 of assessed value more in property taxes. I have asked myself, is that fair? I ask myself, is it fair to education if I vote "no" on this bill? Am I really hurting education, because most of those people have children, and they want those children to be well educated. The answer I keep coming up with, and I don't sit on either of the money committees, is that nobody really has justified this to me yet. I hear a lot of rhetoric, but I don't hear any real justifications. Is there no place else this money can come from? Nobody's ever answered that question for me. I will be voting "no" on this because I honestly believe that a "yes" vote, to the people in my district, is simply unfair, unjust, and places an undue burden on them. I think some folks in my district are going to lose their homes over this, and I can't vote in good conscience and let that happen.

ASSEMBLYMAN FAY:

Thank you, Mr. Speaker. My esteemed colleague, Mr. Stone, just said that somebody was going to lose their house over $17.50 a year on a $100,000 house. I might be incorrect, but I am assuming that if the increase was 30 cents that Mr. Stone would vote for it, maybe I am incorrect. That will increase $17.50 on a $100,000 home. If they are going to lose their home for $17.50, they are in worse shape than I am. I do say, I would like to agree with my colleague, Mr. Price, when he said to Mr. Thomas that I think Mr. Thomas is on the side of the 35 cents because Mr. Thomas did say that we should have a stable tax base. Even with my rudimentary knowledge of economics, the most stable tax base in the whole country and the world is an ad valorem tax, which has worked in every state. We are lucky enough to be one of the lowest tax areas in the United States of America and I am sure going to work hard to keep us that way. But we still have to do what we have to do. Thank you.

ASSEMBLYMAN THOMAS:

Thank you again, Mr. Speaker, fellow colleagues. I don't think the argument here has anything at all to do with education. I don't know anybody in this entire establishment who is opposed to supporting education. Certainly not myself. I think it's a philosophical argument as to how we raise the money. Sure, property tax is stable. Sticking a gun in somebody's ribs is stable too.

It's nice for government to be able to project income three and four years into the future without having to worry about the ups and downs of the economy. Property tax is great for that. But how about the people's hides from which property tax has to come. These people do have to suffer the ups and downs of the economy. Sometimes that property tax is hard to come up with. You know, what I guess I'm saying to you is this, there are other ways of raising taxes which are a lot more equitable than property tax. That's really where my stand is. I don't care how much money we have to spend to sustain our government and our education. That's of no consequence to me. The method

is, and there are easier ways of doing it, and sales tax, by and large, is a lot fairer way of doing it, and that's what I'm trying to say.

ASSEMBLYMAN GETTO:

Mr. Speaker and fellow assemblymen, my opposition to this bill probably comes to me because it is still fresh in my mind when I went in several counties alongside of educators to defeat Question 6. At the same time I went out just this last election year to help defeat Question 9. I do have a problem, in fact when I remember why Question 6 started, and it was the property owners that were rebelling. We're not just talking about this particular 5 cents. This session of the legislature is going away with a new word that has been stated on the floor, the impact to the property owner. And that's something we have to face.

There is another reason why I object to this bill. We have a Taxation Committee, a chairman and very responsible members, and this bill was an evasion of the Taxation Committee. We have Ways and Means that spends the money, and we have Taxation to raise the money. This, as the last day of the session comes zipping in, completely avoiding the responsibility of the Taxation Committee.

I want to point out that if you are talking about a partisan issue the other party dominates the Taxation Committee. If we talk about a tax plan, as our minority leader stated, there has been no move, either in this house or in the other house, to change our tax plan. So we, as a consensus of the group, are saying that we accept the fact that we will have an important part of our revenues raised by sales tax. We have accepted that because there is no move here to change that.

Another reason I am going to vote "no" is the fact that I have some faith that the economy of this country is on the move. I don't care if you're blind, if you look around, every place you see things moving. I see houses being built, if you listen to reports over the nation, so I think we're in a different era than we were last time. In the last session we were in an era where we were going down. This session we are in an era where we are going up. We are projecting our budgets on only a slight increase. I have faith that that gap is going to close, and we're not talking about the appropriation to education, we're talking about the 5 cents of funding. The appropriation is in there regardless. That's what I think we should be considering. We're not talking about whether education is going to be appropriated for or not. I still don't understand what my colleague said, that the difference is not there because the appropriation is set. It's an amount guaranteed regardless whether we raise 35 cents from the property owner or if we do not.

ASSEMBLYMAN SCHOFIELD:

Thank you, Mr. Speaker. I certainly rise in support of this measure. Two years ago I stood on this very floor and recommended that we do not pass the tax package that was passed two years ago for the very reason we didn't know where we were going economically. There was a possibility of an economic downturn. We passed a package out of here that had a tremendous reduction in property taxes, as far as homes were concerned, and a raise, a tremendous 64 percent raise in the sales taxes.

Now we've come back up here and I heard a few comments of a couple of my colleagues concerning the Taxation Committee, of which Mr. May is chairman. I think that we sat in that Taxation Committee, evaluated, beat out, reviewed, came up with various methods of raising the dollars that it takes, that are necessary all the way through from education to the operation of state government. I don't sit on the Ways and Means Committee, but I'm sure that in these 122 days that they had the time and they worked very diligently, without a doubt, to come up with the proposals that they have. I think the mention of Mr. Brady's comment concerning the Taxation Committee, that he didn't sit on the Taxation Committee and I didn't sit on the Ways and Means Committee. So I certainly couldn't be critical of any of the committees. Many of us have to depend on what they said. This 5 cents that we are talking about is, as far as I'm concerned, very just, as far as it is for education. The education, as far as I am concerned, is the backbone of this country. We have to see that the kids are educated to the degree that we have in this particular state that responsibility that we must show to them. This particular measure does just that, and what we are doing is undoing something that we did two years ago by giving that tremendous reduction. I believe that this will balance out the package as far as the taxes are concerned. It's true, we may have to take another look at it two years from now as far as everything is concerned, as far as the money and the generation of that revenue. I believe it is our responsibility, representing the

people of this state, that we do, in fact pass a measure like this that will show that stability and protect the education in the State of Nevada.

ASSEMBLYMAN SEDWAY:

Thank you, Mr. Speaker. For the last 120 some odd days I have sat as a member of the Ways and Means Committee. We have worked long; we have worked diligently. We have, in the most part, worked in a bi-partisan manner, especially when it came to the support of education. As a matter of fact, one of my strongest supporters in my efforts was my good friend, John DuBois. Never once during our discussions on distributive education fund did a Republican member of that body stand up and ask that we cut that amount. We have a responsibility to 147,000 students who are going to depend upon us. In this whole body we are probably all products of public education. I am proud of the education I received in the State of Nevada. I am proud of the people who support, who teach us, who administer it. What we do here today will affect the lives of every student of every family of every person in this state.

Now, what we are talking about is a difference of $17.50 a year. That comes to less than $1.50 a month, or less than five cents a day. Five cents! Are you going to deny your children and your neighbor's children the opportunity to receive an adequate education for a lousy five pennies? That's what you are going to do, because you will do it on the basis of a partisan issue which transcends what we are here for. If you don't vote to support education at the level that we request, it's going to come back and haunt you because we worry about the money for the prisons, and we worry about the money and the place where you put the honor camp. If you short these people and these children, we're not going to spend a nickle now, we're going to spend $20,000 a year to keep those kids in a maximum security prison down the street.

We are not giving them enough money for special education. We're not giving them enough money to support the supplies they need. The senior citizens of this state have written to me and say support education. We'll pay for it. The mothers and fathers want you to support it. If you think that cutting that nickle is going to save you, each and every one of you, you're deluding yourself, because that nickle isn't going to make a hoot in hell's worth of difference on your taxes. It makes a difference in the future of this state, and the future of education. If you don't have the guts to vote for that extra nickle, go home tonight and look at yourself in the mirror because you're going to have to live with that for the rest of your lives!

Roll call on Assembly Bill No. 673:

YEAS—20.

NAYS—Bergevin, Beyer, Bilyeu, Bogaert, Brady, DuBois, Francis, Getto, Ham, Humke, Joerg, Kerns, Kovacs, Malone, Marvel, Nicholas, Redelsperger, Stewart, Stone, Thomas, Zimmer—21.

Not voting—Bourne.

Assembly Bill No. 673 having failed to receive a constitutional majority, Mr. Speaker declared it lost.

REMARKS FROM THE FLOOR

Assemblyman Stewart requested that Assemblyman Bourne's remarks be entered in the Journal:

ASSEMBLYMAN BOURNE:

On all of your desks you have three documents (some of you have three documents, some of you have two). One I would like you to turn your attention to, if you would please. Proposed Property Tax, 1983-84. Current level $182 million plus a 35 cents increase in school tax, which will be $39 million. Local governments with caps off will be an increase of $47 million, which should give us a grand total of $268 million. If you remember, in 1979 when Question 6 surfaced, we were $225 million.

I sell life insurance; I'm not an accountant by trade. I don't know if these figures are right. I choose to believe that they are, from my rudimentary knowledge. If they are high let me know, if they are not high I would also like somebody to let me know.

Another item that all of you have is something that was handed out to me yesterday. The first page is Washoe County tax rates. I have attempted, for those Washoe County

representatives within these chambers, and those who service Washoe County as assembly people, to equate these rates into hard cash. What I'm asking for, or what I hope I will get from the people in my assembly district, is some guidance and direction on their intent to get a referendum on property tax in the county, to get some rationale, get some hard core decisions out of those county people, as well as the city people, and to also let me know if they want me to support a 35 cents tax increase for schools. If they will do that, I think I should be able to, as I did when I was elected, come down here and support their wishes. Thank you.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Kovacs gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 673 was this day refused passage.

GENERAL FILE AND THIRD READING

Assembly Bill No. 672.

Bill read third time.

Roll call on Assembly Bill No. 672:

YEAS—25.

NAYS—Bergevin, Beyer, Bogaert, Brady, DuBois, Getto, Ham, Malone, Nicholas, Thomas, Zimmer—11.

Not voting—Bilyeu, Francis, Humke, Joerg, Kerns, Stone—6.

Assembly Bill No. 672 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 553.

The following Senate amendment was read:

Amendment No. 1152.

Amend section 1, page 1, lines 3 and 4, by deleting: "*director of the division of animal industry of the state department of agriculture*" and inserting: "*Nevada state board of veterinary medical examiners*".

Amend section 1, page 1, line 6, after "*skills as*" by inserting: "*are determined by the board, including*".

Amend section 1, page 1, by deleting lines 9 and 10.

Amend sec. 2, page 2, lines 18 and 19, by deleting: "*director of the division of animal industry of the state department of agriculture*" and inserting: "*Nevada state board of veterinary medical examiners*".

Amend the bill as a whole by adding a new section designated section 3, following section 2, to read as follows:

"Sec. 3. This act shall expire by limitation on July 1, 1985.".

Assemblyman Thompson moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 553.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 579.

The following Senate amendment was read:

Amendment No. 1119.

Amend sec. 6, page 2, line 36, by deleting "2, 4" and inserting "2".

Amend sec. 6, page 2, line 38, by deleting "Section 3" and inserting:

"Sections 3 and 4".

Assemblyman Thompson moved that the Assembly concur in the Senate amendment to Assembly Bill No. 579.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Redelsperger gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 672 was this day passed.

Mr. Speaker refused to recognize Assemblyman Redelsperger's notice of reconsideration on Assembly Bill No. 672.

Assemblyman Brady appealed the decision of the Chair.

Mr. Speaker refused to recognize Assemblyman Brady's appeal of the decision of the Chair.

Remarks by Assemblymen Redelsperger and Bilyeu.

Mr. Speaker stated that the notice of reconsideration was out of order, as all rules have been suspended and Assembly Bill No. 672 was immediately transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 136.

The following Senate amendments were read:

Amendment No. 860.

Amend section 1, page 1, by deleting lines 2 through 6 and inserting: "thereto the provisions set forth as sections 1.3 and 1.6 of this act.".

Amend the bill as a whole by adding new sections, designated sections 1.3 and 1.6, following section 1, to read as follows:

"Sec. 1.3. *If the director finds that a bond or letter of credit filed pursuant to NRS 677.170 is not sufficient to protect the interests of the public, he shall require the applicant to deposit an additional bond or letter of credit.*

Sec. 1.6. *The provisions of this chapter do not prohibit a licensee or a person owning an interest in a licensee from obtaining a license or owning an interest in a corporation licensed under chapter 659 or 673 of NRS.*".

Amend sec. 3, page 2, by deleting lines 27 through 29 and inserting "law. [A]".

Amend sec. 7, page 5, line 10, by deleting: "or its parent corporation".

Amend sec. 7, page 5, line 12, by deleting the period and inserting: ", or to any parent corporation of such a thrift company.".

Amendment No. 1125.

Amend sec. 7, page 5, line 12, before "The" by inserting "1.".

Amend sec. 7, page 5, by inserting after line 15:

"2. Any such thrift company may, with the permission of the director as required by NRS 677.370, assign its license to a bank or savings and loan association organized under the law of this state or any other state, or under the law of the United States if its principal office is located in this state.".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendments to Assembly Bill No. 136.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Kovacs moved that Senate Bill No. 375 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Kovacs.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 375.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1168.

Amend sec. 2, page 2, line 15, by deleting "and detriments" and inserting ", detriments and costs".

Amend sec. 2, page 2, line 26, by deleting "and".

Amend sec. 2, page 2, line 29, by deleting "guidelines and sentencing" and inserting "guidelines, sentencing".

Amend sec. 2, page 2, by deleting line 30 and inserting: "commission on sentencing; and

8. The fiscal effects of abolition or any proposed modification of parole upon:

(a) The department of prisons;

(b) The department of parole and probation; and

(c) The state board of parole commissioners.".

Assemblyman Kovacs moved the adoption of the amendment.

Remarks by Assemblyman Kovacs.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 5 p.m.

Assembly in recess at 12:51 p.m.

ASSEMBLY IN SESSION

At 5:43 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Assembly Concurrent Resolution No. 59, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

EDWARD J. KOVACS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 18, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 155, 406, 416, 455, 548, 595, 613, 616, 623, 631, 636, 653.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 475, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 26.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 60.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Joint Resolution No. 13.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Joint Resolution No. 33—Memorializing the Congress of the United States to enact legislation to make mandatory the adoption of the metric system.

Assemblyman Thompson moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Joint Resolution No. 34—Urging the Congress of the United States to prohibit the storage of radioactive waste at the Nevada Test Site.

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

Motion carried.

Assembly Concurrent Resolution No. 59.

Assemblyman Kovacs moved the adoption of the resolution.

Remarks by Assemblyman Dini.

Resolution adopted unanimously.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 129, consisting of the undersigned members, has met, and reports that:

No decision was reached, and recommends the appointment of a second Committee on Conference, to consist of three members, for the further consideration of the bill.

KEITH ASHWORTH
ALAN H. GLOVER
WILBUR FAISS
Senate Committee on Conference

JAMES J. BANNER
STEVEN C. FRANCIS
ROBERT W. (BOB) FAY
Assembly Committee on Conference

Assemblyman Banner moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 129.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Zimmer, Ham and Collins as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 129.

GENERAL FILE AND THIRD READING

Senate Bill No. 375.

Bill read third time.

Remarks by Assemblyman Kovacs.

Roll call on Senate Bill No. 375:

YEAS—42.

NAYS—None.

Senate Bill No. 375 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Getto, Chaney, Collins and Bilyeu:

Assembly Concurrent Resolution No. 63—Memorializing the late William M. Woods, court reporter.

WHEREAS, On March 1, 1981, the people of the State of Nevada lost a legendary court reporter; and

WHEREAS, Bill Woods was the first and, to date, the only black reporter ever to serve the district and lower courts of this state; and

WHEREAS, For 24 years, Mr. Woods served the counties of the seventh judicial district and at one time he served three judicial districts and seven rural counties; and

WHEREAS, William Woods was appointed by Governor Paul Laxalt and reappointed by Governor O'Callaghan to serve on the state selective service board of appeals, a position in which he served with distinction until the board dissolved in 1976; and

WHEREAS, Bill was a special person whose remarkable sense of humor, intelligence and personality created goodwill among all people; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That members of this legislature hereby extend their heartfelt condolences to the family of William M. Woods; and be it further

Resolved, That copies of this resolution be prepared and transmitted forthwith by the legislative counsel to Mr. Woods' daughter, Ann Marie Moulton, and his two sons, William M. Woods, III, and Lawrence A. Woods.

Assemblyman Getto moved the adoption of the resolution.

Remarks by Assemblymen Getto and Bilyeu.

Assemblyman Coffin requested that the following remarks be entered in the Journal:

ASSEMBLYMAN GETTO:

As is stated in the resolution, on March 1, 1982, Nevada lost a legendary court reporter, William "Bill" Woods. Mr. Woods was a personal friend of Mr. Bilyeu, and a personal acquaintance of Senators Wilson and Blakemore. Bill Woods' friendship even extended to a former Nevada Chief Justice, Judge Collins. Bill was widely known and loved by both political parties and even though I didn't know him, he was loved by the people in Ely, Rhyolite, and was an outstanding court reporter. I think it is an honor that this Assembly should eulogize him and that we send the resolution to his family, especially since Mr. Bill Woods was a black court reporter and was outstanding.

ASSEMBLYMAN BILYEU:

Bill Woods was a very special person. He was a personal friend of mine when I was a young, well not so young, lawyer starting out over in Ely. Bill was very gracious and very kind. He did a nice job cleaning up what I had to say and taking out all the oral pauses and all the false starts. I wish I had him here on the floor of the Assembly. He was a very, very special person to all of those who knew him and loved him and admired him. The only bad thing I can say about Bill was that he was a heck of a golf hustler and would take money out of your pocket. The State of Nevada has lost a fine gentleman, and it is entirely appropriate that this body express their condolences to the family.

Resolution adopted unanimously.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 369.

The following Senate amendments were read:

Amendment No. 1010.

Amend sec. 2, page 1, line 14, by deleting "*or*" after "*administration,*" and inserting "*hold*".

Amend sec. 2, page 1, by deleting line 16 and inserting: "*neering, or be a registered professional engineer.*".

Amend sec. 2, page 2, by deleting line 4 and inserting: "related to the functions of [the agencies composing] the department.".

Amend sec. 3, page 2, by deleting lines 7 and 8 and inserting:

"[1.] *(a)* Is in the unclassified service of the state.".

Amend sec. 3, page 2, line 12, by deleting: "*the degree of bachelor of*" and inserting: "*a master's degree*".

Amend sec. 3, page 2, by deleting line 13 and inserting: "*in public or business administration, hold the degree of bachelor of science in civil, structural,*".

Amend sec. 3, page 2, line 14, by deleting the period and adding after "*engineering*": ", *or be a registered professional engineer.*".

Amend sec. 3, page 2, by deleting line 16 and inserting: "*assistant director, the chief engineer, or the head of the engineering or planning division of the department, or have equivalent experience.*".

Amend sec. 3, page 2, line 20, by deleting: "*subsections 3 and 4,*" and inserting "*subsection 3,*".

Amend sec. 3, page 2, by deleting line 23 and inserting:

"*3. If the director or deputy director*".

Amend sec. 3, page 2, line 24, by deleting: "*civil or structural engineering and*".

Amend sec. 3, page 2, by deleting lines 26 through 29.

Amend the title of the bill by deleting the first through third lines and inserting:

"An Act relating to the department of transportation; changing the qualifications of the director and deputy director; establishing the qualifi-".

Amendment No. 1162.

Amend sec. 3, page 2, line 14, by deleting "*the engineering*" and inserting "*an engineering*".

Amend sec. 3, page 2, line 18, by deleting "*civil or structural*".

Assemblyman Dini moved that the Assembly concur in the Senate amendments to Assembly Bill No. 369.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 18, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day adopted, as amended, Assembly Concurrent Resolution No. 37, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 475, 476, 477.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 236, 311, 321, 331, 417, 472.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 207, which was returned from enrollment for the purpose of effecting a technical amendment.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 207 was passed be rescinded.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 207.

Bill read third time.

Remarks by Assemblyman Coffin.

Roll call on Senate Bill No. 207:

YEAS—42.

NAYS—None.

Senate Bill No. 207 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 236.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

Senate Bill No. 311.

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

Motion carried.

Senate Bill No. 321.

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

Motion carried.

Senate Bill No. 331.

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

Motion carried.

Senate Bill No. 417.

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

Motion carried.

Senate Bill No. 472.

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

Motion carried.

Senate Bill No. 475.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Health and Welfare.

Motion carried.

Senate Bill No. 476.

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

Motion carried.

Senate Bill No. 477.

Assemblyman Jeffrey 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 Bills Nos. 44, 78, 116, 133, 191, 273, 283, 303, 307, 315, 320, 366, 374, 378, 382, 404, 409, 442, 468, 490, 523, 549, 555, 582, 592; Senate Bills Nos. 153, 330, 342, 356, 468; Assembly Joint Resolutions Nos. 29, 31; Senate Joint Resolutions Nos. 2, 25; Senate Concurrent Resolutions Nos. 2, 10, 24, 29, 42, 50.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Schofield, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Jay Schofield.

On request of Assemblyman Malone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Molly Kieser.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Mesdames Tyler, Barbara Burke, Miss Doreen Munk, Ms. Kathy Eddy, Shilo Eddy, Pauline Shearer, Mr. Walt Shearer and students from Lovelock Elementary School, Lovelock, Nevada: Gene Alvia, Patricia Burke, Susan Calvin, Patrick Coughlin, Mishka Carmichael, Joe Dallujs, Traci Gibson, Ana Rosa Gonzalez, Cherie Gurley, Susie Gordon, Antonio Herrera, Jenny Jarvis, Bruce Meissner, Naomi Mercer, Alan Meredith, Regina Moose, Ann Petty, Kelli Quilici, Tia Rasmussen, Calvin Rose, Louis Ryle, Robin Vincent, Rebecca Wehnau, Joey Woodbeck, Lonnie Bianchini, Amy Camack, Eddy Bright, Shannon Ciresola, Kurt Condie, Darla Denkers, Tracy Eddy, Jennifer Fisk, Gina Gierhart, Darla Gogert, Susan Hostman, Kurtis Hyde, Janet Lewis, John Miller, Darrel Norcutt, Will Norris, John Petean, Audie Peterson, Nicole Rieg, Michelle Shearer, Jean Thorn, Julia Wood and Glenda Rose.

On request of Assemblyman Stone, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Val Simpson and Mrs. Gayle Stone.

Assemblyman Jeffrey moved that the Assembly adjourn until Thursday, May 19, 1983, at 11 a.m.

Motion carried.

Assembly adjourned at 6:09 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-THIRD DAY

CARSON CITY (Thursday), May 19, 1983

Assembly called to order at 11:21 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all,

Again we approach you in prayer. Again we ask for your continued presence with and among us and for your blessing upon these legislators as they seek to complete the tasks set before them this day. Where there are misunderstandings, grant understanding. Where there is emnity, bring peace.

Again we would approach you in act of thanksgiving as well. This morning we remember before you, with thanks, those individual members of the legislative staff who have worked so long and hard behind the scenes to make what our elected officials do here possible. We especially thank you for the secretaries in the office of each legislator, whom we now name in our hearts before you. (Pause for silent prayer by the Assembly.)

Lord, in your mercy, hear this our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

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

Assembly in recess at 11:25 a.m.

ASSEMBLY IN SESSION

At 12:12 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Bill No. 414, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDWARD J. KOVACS, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 271, 444, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 405, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 370, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Senate Bill No. 444 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Dini.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 18, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 418.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 109, 162, 339, 364, 395.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 65, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 9 C, which is attached to and hereby made a part of this report.

THOMAS R. C. WILSON	BYRON (BILL) BILYEU
JAMES H. BILBRAY	DAVID E. HUMKE
BOB RYAN	COURTENAY SWAIN
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 9 C.

Amend sec. 2, page 3, line 10, by deleting "*money*" and inserting "*the balance*".

Amend sec. 7, page 5, line 7, after "*panel to*" by inserting: "*place a certified or registered public accountant on probation or*".

Assemblyman Bilyeu moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 65.

Motion carried.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 597.

The following Senate amendment was read:

Amendment No. 1132.

Amend section 1, page 2, line 11, by deleting "and" and inserting "[and]".

Amend section 1, page 2, line 13, by deleting "use." and inserting "use [.] *; and*".

Amend section 1, page 2, by inserting between lines 13 and 14:

"*(d) Whether the holder has demonstrated efficient ways of using the water for agricultural purposes, such as center-pivot irrigation.*".

Amend section 1, page 2, line 14, by deleting: "*state engineer determines that*".

Amend section 1, page 2, line 16, by deleting "*and that*" and inserting: "*before July 1, 1983, and*".

Amend section 1, page 2, line 17, by deleting "*he*" and inserting "*the state engineer*".

Amend section 1, page 2, line 20, after "*beneficially*" by inserting: "*or apply for additional relief pursuant to subsection 2*".

Assemblyman Thompson moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 597.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 475.

The following Senate amendment was read:

Amendment No. 1137.

Amend section 1, page 1, line 13, by deleting "*wells*" and inserting "*dwellings*".

Amend section 1, page 1, line 14, by adding after the period following "day":

"*3. This section does not apply to any ground water basin for which the state engineer has in effect on July 1, 1983, a procedure of issuing revocable permits.*".

Assemblyman Thompson moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 475.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 531.

The following Senate amendment was read:

Amendment No. 1048.

Amend section 1, pages 36 and 37, by deleting line 43 on page 36 and lines 1 through 6 on page 37.

Assemblyman Dini moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 531.

Motion carried.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Assembly Bill No. 674—An Act relating to parcel maps; exempting conveyances of patented mining claims from the requirements for filing parcel maps; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Vergiels, Jeffrey, Bourne, Kovacs, Stewart, Banner, Chaney, Dini, Bilyeu, May, Fay, Nevin, Perry, Bergevin, Berkley, Craddock, Swain, Coffin, Sedway, Thomas, Zimmer, Stone, Francis, Bogaert, Malone, DuBois, Redelsperger, Beyer, Kerns, Humke, Price, Schofield, Getto, Ham, Marvel, Brady, Thompson, Collins, Joerg, Nicholas, Bremner and Sader:

Assembly Concurrent Resolution No. 64—Commending the superintendent of the state printing and records division of the department of general services and his staff for their services to the 62nd session of the Nevada legislature.

WHEREAS, The superintendent of the state printing and records division of the department of general services and his staff have labored long and diligently in keeping up with the heavy workload of the 62nd session of the Nevada legislature; and

WHEREAS, This session the superintendent and his staff have completed all requested tasks with promptness and accuracy; and

WHEREAS, The high standards of professionalism displayed by the superintendent and his staff have contributed immensely to the productivity of this session; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the members of the 62nd session of the legislature of the State of Nevada hereby express their gratitude to and commend all members of the staff of the state printing office and the superintendent for their careful and efficient work and courteous cooperation in assisting the proceedings of this legislature; and be it further

Resolved, That a copy of this resolution be prepared and transmitted forthwith by the legislative counsel to Mr. Donald L. Bailey, superintendent of the state printing and records division of the department of general services.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblyman Jeffrey.

Resolution adopted unanimously.

SECOND READING AND AMENDMENT

Senate Bill No. 370.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1246.

Amend sec. 5, page 2, by deleting lines 11 through 20 and inserting:

"Sec. 5. (Deleted by amendment.)".

Amend sec. 7, page 2, line 27, by deleting the bracket.

Amend sec. 7, page 2, line 31 by deleting the bracket.

Amend sec. 7, page 2, line 37, by deleting "[4.] *3.*" and inserting: "4.".

Amend sec. 7, page 2, line 39, by deleting "[5.] *4.*" and inserting: "5.".

Amend sec. 10, page 4, line 9, by deleting "or legislator".

Amend sec. 10, page 4, after line 10 by inserting:

"3. Upon retirement from the service of the state, or upon completion of 8 years of service as such, a participating legislator may retain his membership in the state's group insurance program.".

Amend sec. 13, page 4, line 24, by deleting "Section 9" and inserting "Sections 9 and 10".

Amend the title of the bill to read as follows:

"An Act relating to insurance coverage of state employees; providing for self-insurance of certain risks; and providing other matters properly relating thereto.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 405.

Bill read second time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1242.

Amend section 1, page 1, line 1, by deleting: "special election on June 7, 1983," and inserting: "general election on November 6, 1984,".

Amend sec. 4, page 2, lines 4 and 5, by deleting: "special election on June 7, 1983," and inserting: "general election on November 6, 1984,".

Amend sec. 4, page 2, line 21, by deleting "*value,*" and inserting "*value at wholesale,*".

Amend sec. 4, page 3, line 7, by deleting "July 1, 1983," and inserting "January 1, 1985,".

Amend secs. 5 and 6, page 3, by deleting lines 8 through 14 and inserting:

"Secs. 5 and 6. (Deleted by amendment.)".

Amend sec. 9, page 3, by deleting lines 33 through 35 and inserting:

"Sec. 9. (Deleted by amendment.)".

Amend sec. 10, page 3, by deleting lines 36 through 40 and inserting:

"Sec. 10. If a majority of the votes cast on the question is yes, the amendment shall become effective on January 1, 1985. If a major-".

Amend sec. 13, page 4, line 16, by deleting "*value,*" and inserting "*value at wholesale,*".

Amend sec. 14, page 5, by deleting lines 2 through 5 and inserting: "shall become effective on July 1, 1983. Section 13 of this act shall become effective on January 1, 1985, only if the question provided for in section 4 of this act is approved by the voters at the general election on November 6, 1984.".

Amend the title of the bill, second line, by deleting: "special election in 1983" and inserting: "general election in 1984".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 271.
Bill read third time.
Remarks by Assemblyman Dini.
Roll call on Senate Bill No. 271:

YEAS—42.
NAYS—None.

Senate Bill No. 271 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 414.
Bill read third time.
Remarks by Assemblyman Kovacs.
Roll call on Senate Bill No. 414:

YEAS—42.
NAYS—None.

Senate Bill No. 414 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 473, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 19, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 129 and requests a second conference, and appointed Senators Robinson, Townsend and Jacobsen as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 129.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Senate Bill No. 473 be taken from the Second Reading File and re-referred to the Committee on Judiciary.
Remarks by Assemblymen Stewart, May and Thomas.
Assemblymen Bogaert, Thomas and Coffin requested a roll call on Assemblyman Stewart's motion.

Roll call on Assemblyman Stewart's motion:

YEAS—19.

NAYS—Berkley, Beyer, Bogaert, Bourne, Bremner, Collins, Craddock, Dini, Fay, Francis, Ham, Humke, Jeffrey, Joerg, Kerns, May, Nevin, Nicholas, Perry, Sader, Schofield, Sedway, Mr. Speaker—23.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

SECOND READING AND AMENDMENT

Senate Bill No. 473.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1253.

Amend section 1, page 1, line 15, after "*physician*" and inserting ", *optometrist*".

Amend the title of the bill, first line, after "physicians" by inserting ", optometrists".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:40 p.m.

ASSEMBLY IN SESSION

At 12:52 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 281, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Health and Welfare, to which was referred Senate Bill No. 475, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LONIE CHANEY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 670, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which were referred Senate Bills Nos. 124, 446, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 477, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 321, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BOB COFFIN, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 667, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 675—An Act relating to unclassified salaries; changing such salaries in accordance with the executive budget; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 37.

The following Senate amendment was read:

Amendment No. 1150.

Amend the resolution, page 2, by deleting line 3 and inserting:

"1. Allot a portion of the money to:".

Amend the title of the resolution by inserting on the second line after "use" and before "money" the words: "a portion of the".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Concurrent Resolution No. 37.

Motion carried.

Resolution ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Schofield moved that Senate Joint Resolution No. 11 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Bogaert moved that Assembly Bill No. 467 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 467.
Bill read third time.
The following amendment was proposed by Assemblyman Bogaert:
Amendment No. 1220.
Amend section 1, page 1, by deleting lines 3 and 4 and inserting: "*The payment of any taxes imposed pursuant to this chapter must be made:*

1. *In lawful money of the United States;*
2. *By a cashier's check; or*
3. *By a negotiable check or*".

Amend sec. 2, page 1, by deleting lines 13 and 14 and inserting: "*The payment of any taxes or fees imposed pursuant to this chapter must be made:*

1. *In lawful money of the United States;*
2. *By a cashier's check; or*
3. *By a negotiable check or*".

Assemblyman Bogaert moved the adoption of the amendment.
Remarks by Assemblyman Bogaert.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 670.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Assembly Bill No. 670:

YEAS—41.
NAYS—Sedway.

Assembly Bill No. 670 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 281.
Bill read third time.
Remarks by Assemblyman Stone.
Roll call on Senate Bill No. 281:

YEAS—41.
NAYS—None.
Not voting—Collins.

Senate Bill No. 281 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 321.
Bill read third time.
Remarks by Assemblyman Coffin.

Roll call on Senate Bill No. 321:

YEAS—42.

NAYS—None.

Senate Bill No. 321 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 475.

Bill read third time.

Remarks by Assemblyman Perry.

Roll call on Senate Bill No. 475:

YEAS—42.

NAYS—None.

Senate Bill No. 475 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 477.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Senate Bill No. 477:

YEAS—42.

NAYS—None.

Senate Bill No. 477 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

SECOND READING AND AMENDMENT

Assembly Bill No. 667.

Bill read second time.

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1211.

Amend sec. 7, page 2, lines 40 and 41, by deleting: "*regularly* at least quarterly and".

Amend sec. 7, page 3, by deleting line 5 and inserting: "be reimbursed from the fund for the communications subdivision of the Nevada highway patrol".

Amend sec. 7, page 3, line 6, by deleting "vision fund".

Amend sec. 7, page 3, line 7, by deleting "by law." and inserting: "for state officers and employees.".

Amend sec. 12, page 4, by deleting line 37 and inserting: "the times and places specified by the call".

Amend sec. 12, page 4, line 39, by deleting "[shall]" and inserting "must".

Amend sec. 12, page 4, line 41, by deleting "[shall]".

Amend sec. 12, page 4, by deleting line 42 and inserting: "A quorum may exercise any power conferred on".

Amend sec. 12, page 4, line 43, by deleting: "rules or regulations [shall] *may*" and inserting "regulations may".

Amend sec. 12, page 5, by deleting lines 4 and 5 and inserting: "meeting . [, regular or special.] The minutes are public records and must be filed with the department.".

Amend sec. 21, page 7, line 26, by deleting "in every calendar" and inserting "every fiscal".

Amend sec. 21, page 7, line 30, by deleting "[such] *a*" and inserting "a" in Roman type.

Amend sec. 21, page 7, line 32, by deleting "such".

Amend sec. 21, page 7, by deleting lines 33 and 34 and inserting: "must be given in writing to each member at least 5 days before the meeting.".

Amend the bill as a whole by deleting section 23 and inserting:

"Sec. 23. (Deleted by amendment.)".

Amend sec. 26, page 9, line 1, by deleting "officer" and inserting "officer, the administrator".

Amend the bill as a whole by renumbering sections 41 and 42 as sections 42 and 43 and by adding a new section, designated section 41, to read as follows:

"Sec. 41. NRS 637.050 is hereby amended to read as follows:

637.050 1. The principal office of the board is the place of business or employment of the secretary of the board, but it may maintain offices in as many localities in the state as it finds necessary to carry out the provisions of this chapter, and may meet or conduct any of its business at any place in the state.

2. The board shall meet at least once [annually,] *in August each year,* at which time candidates applying for licensing [shall] *must* be examined and their qualifications determined.

3. In addition to the meeting required by subsection 2, the board may hold such other meetings as it may deem advisable. The time and place of all such meetings [shall] *must* be determined by the board.".

Amend the bill as a whole by adding a new section, designated section 44, following section 42, to read as follows:

"Sec. 44. Sections 7, 12, 21 and 26 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Amendment No. 1226.

Amend section 1, page 1, by deleting lines 2 through 13 and inserting:

"231.050 1. The commission on economic development [shall meet monthly] *may meet regularly each month* or at more frequent times if it deems necessary, and may, within the limits of its budget, hold special meetings at the call of the chairman.

2. The executive director is the secretary of the commission.

3. The commission shall prescribe rules for its own management and government.

4. Four members of the commission constitute a quorum, but a majority of the commission is required to exercise the power conferred on the commission.

5. The governor may remove a member from the commission if the member neglects his duty or commits malfeasance in office.''.

Amend sec. 27, page 9, by deleting lines 7 through 33 and inserting:

''439A.030 1. The council consists of at least 7 members appointed by the governor. Not less than 50 nor more than 60 percent of the members of the council must be persons who are recipients of health services and not providers of health services.

2. Each health systems agency is entitled to the same number of representatives, no fewer than two, on the council. Of the representatives of each health systems agency, not less than 50 nor more than 60 percent must be persons who are recipients of health services and not providers of health services.

3. If one or more hospitals or other health care facilities of the Veterans' Administration are located in the state, the council shall, in addition to the appointed members, include as a nonvoting member a person whom the Chief Medical Director of the Veterans' Administration designates as a representative of such a facility or facilities.

4. The council shall select a chairman from among its members.

5. The council [shall] *may* meet *regularly* at least once in each calendar quarter of a year.''.

Amend section 44 of the bill to read as follows:

''Sec. 44. Sections 1, 7, 12, 21, 26 and 27 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Assemblyman Bremner moved the adoption of the amendments.

Remarks by Assemblyman Bremner.

Amendments adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 124.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1204.

Amend the bill as a whole by renumbering sections 2 and 3 as sections 3 and 4 and adding a new section, designated section 2, following section 1, to read as follows:

''Sec. 2. NRS 675.040 is hereby amended to read as follows:

675.040 [No] *This chapter does not apply to any* person doing business under the authority of any law of this state or of the United States relating to banks, savings banks, trust companies, savings and loan associations, [or credit unions is eligible to become a licensee under this chapter, nor does this chapter apply to any business transacted by any such person under the authority of and as permitted by any such law, nor to any bona fide pawnbroking business transacted under a pawnbroker's license.] *credit unions, development corporations, mortgage companies, thrift companies or pawnbrokers.*''.

Amend the title of the bill, third line, after ''interest;'' by inserting: ''expanding the exemption from regulation;''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 446.
Bill read second time.
The following amendment was proposed by the Committee on Commerce:
Amendment No. 1206.
Amend section 1, page 2, after line 13 by inserting:
"8. A seller of real property who offers credit secured by a mortgage of the property sold.".
Amend the bill as a whole by adding a new section, designated section 2, following section 1, to read as follows:
"Sec. 2. Section 1 of this act shall become effective at 12:01 a.m. on July 1, 1983.".
Assemblyman Jeffrey moved the adoption of the amendment.
Remarks by Assemblyman Jeffrey.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 11.
Resolution read third time.
Remarks by Assemblymen Schofield and Stone.
Roll call on Senate Joint Resolution No. 11:
YEAS—39.
NAYS—Bergevin, May, Price—3.
Senate Joint Resolution No. 11 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 452 be taken from the Chief Clerk's desk and placed on the General File.
Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 19, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 553 and requests a conference, and appointed Senators Townsend, Bilbray and Jacobsen as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day passed Assembly Joint Resolution No. 18.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 445.

Also, I have the honor to inform your honorable body that the Senate on this day

passed, as amended, Senate Bill No. 418, which was returned from enrollment for the purpose of effecting a technical amendment.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bill No. 377.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to concur in the Assembly amendment to Senate Bill No. 19.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Senate Bill No. 65.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Dini, Sader and Thompson as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 553.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 418 was passed be rescinded.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 452.

Bill read third time.

The following amendment was proposed by Assemblyman Jeffrey:

Amendment No. 1227.

Amend sec. 2, pages 1 and 2, by deleting lines 12 through 15 on page 1 and lines 1 through 6 on page 2 and inserting:

"*1. No action against a principal contractor for the recovery of wages due an employee of a subcontractor or contributions or premiums required to be made or paid on his account may be commenced more than:*

(a) Two years, if the principal contractor is located in Nevada; or

(b) Three years, if the principal contractor is located outside this state,

after the date the employee should have received those wages from or those contributions or premiums should have been made or paid by the subcontractor.

2. No action against a principal contractor for the recovery of benefits due an employee of a subcontractor may be commenced more than:

(a) Three years, if the principal contractor is located in Nevada; or

(b) Four years, if the principal contractor is located outside this state,

after the date the employee should have received those benefits from the subcontractor.".

Amend the title of the bill, first line, by deleting: "state board of contractors to compile" and inserting: "employment security department and the state industrial insurance system to make available".

Amend the summary of the bill, first line, by deleting: "board of

contractors to compile'' and inserting: ''employment security department and state industrial insurance system to make available''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 418.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 418:

YEAS—41.

NAYS—None.

Not voting—Humke.

Senate Bill No. 418 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 361 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 361.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1205.

Amend sec. 12, pages 7 and 8, by deleting lines 2 through 43 on page 7 and lines 1 through 3 on page 8 and inserting:

''645B.050 1. A mortgage company's license expires June 30 next after the date of issuance if it is not renewed. A license may be renewed by filing an application for renewal and paying the annual fee for a license for the succeeding year. The application and payment must be received by the commissioner on or before June 30 next preceding the expiration date. If the application or payment is not received by June 30, the license is canceled. The commissioner may reinstate the license if the licensee pays the filing fee and a reinstatement fee of $200.

2. The commissioner shall require a licensee to deliver a financial statement prepared from his books and records by a public accountant who is certified or registered in this state. The financial statement must be dated not earlier than the close of the latest fiscal year of the company and must be submitted within 60 days thereafter.

3. The filing fees are:

(a) For filing an original application, $200 for the principal office and [$75] *$40* for each branch office.

[(b) For filing an original application from April 1 to June 30, inclusive, $100 for the principal office of a mortgage company.

(c) For filing an application for a copy of any license, upon satisfactory showing of its loss, $10.

(d)] The applicant shall also pay such additional expenses incurred in the process of investigation as the commissioner deems necessary. All money received by the commissioner pursuant to this paragraph must be placed in the investigative fund created by section 1 of this act.

(b) If the license is approved for issuance, $300 for the principal office and $60 for each branch office before issuance.

(c) For filing an application for renewal, $500.

(d) For filing an application for a duplicate copy of any license, upon satisfactory showing of its loss, $10.

4. Except as otherwise provided in this chapter, all fees received under this chapter must be deposited in the state treasury for credit to the state general fund.''.

Amend sec. 33, page 18, line 32, by deleting ''Section'' and inserting: ''Sections 12 and''.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 445.

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

Motion carried.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stewart moved that the Assembly do not recede from its action on Senate Bill No. 19, that a conference be requested, and that Mr. Speaker appoint a first Committee on Conference consisting of three members to meet with a like committee of the Senate.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Berkley, Stone and Malone as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 19.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 3 p.m.

Assembly in recess at 1:26 p.m.

ASSEMBLY IN SESSION

At 3:35 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 366, 417, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 136, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, but without recommendation.

JAMES J. BANNER, *Chairman*

Mr. Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 406, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BOB COFFIN, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 136 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Francis, Jeffrey, Thompson, Banner, Stewart, Zimmer and Craddock.

Assemblyman Berkley requested that the following remarks be entered in the Journal:

ASSEMBLYMAN FRANCIS:

Mr. Speaker, we reported the bill out of Labor and Management. I see no reason to put it on the Chief Clerk's desk.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, the bill was barely heard and reported out of the Committee on Labor and Management. We had four hours of hearings in one night, less than two hours of committee work. There were several amendments that were not considered. In fact, there were several amendments that were of concern to state agencies that were not proposed today because the meeting lasted less than five minutes. I think that we owe it to the people of the state, the state agencies, the people involved in this bill, to be sure that we have the amendments we need.

ASSEMBLYMAN THOMPSON:

Mr. Speaker, I would rise in support of putting this bill on the desk. The proponents of this bill talked about the fact that it is sunsetted in five years, and I would propose to them that this will never be changed. Once we implement this into law and people go out and contract with private insurance companies, we are never going to be able to go back and change this. So I think if we are going to do it, let's do it right. It is really sloppy right now. The Senate had this bill for four months. We had it for four hours. There are technical problems in the bill that haven't even been addressed. So I think it is absolutely imperative that it be put on the desk.

ASSEMBLYMAN BANNER:

It's true that this little jewel was over there for four months, just like some of the others, and the tip bill is coming through and it will probably have the same kind of problems. We were faced with a four hour marathon session, and there were some suggested amendments by the chairman of the committee on the other side. The Insurance Commissioner testified that it followed the model bill and he could work with it, and since it pertained to insurance and insurance regulation, or whatever, amendments were accepted. We started our little amendment process, and if some of you were there you know that some of the amendments that are coming were suggesting, for example, the tip bill on this bill. That was one of the amendments. The amendments were coming

in fast and furious, and one of the members may stand up and testify that many of you didn't have any substance matters to the bill, so the majority of the committee went back in today. We announced at 1:30 once, we announced at 1:45, and at 1:50 began our meeting. Some of the people weren't there. We adopted the amendments that we had approved, and brought it out to the floor. The amendments that we brought out to the floor are acceptable. The bill will work, and the problem with this if we came out with recommendation, and it will be the decision of this floor to do what they want with the three-way bill. It won't be my little problem in that committee any more, I assure you.

ASSEMBLYMAN STEWART:

Mr. Speaker, this is a fairly complicated issue, and there are several amendments, and I, personally, make no judgment as to what went on in the committee. But I do need some more time to check over those amendments. So I would appreciate it if we do put it on the desk.

ASSEMBLYMAN ZIMMER:

Thank you, Mr. Speaker. All I can say is that I think this bill deserves to be heard, and I think it deserves to be heard here. We have been lobbied on both sides for over four and a half months. It's true we haven't had all the hearings, but we have been hearing about it. Everybody deserves an opportunity to speak and be heard and vote.

ASSEMBLYMAN FRANCIS:

Mr. Speaker, I just want to echo what Mrs. Zimmer was saying. I'm, frankly, tired of the opponents of this trying to either kill this bill or delay it until we sine die. There was an exhaustive interim study done on this bill. It was approved I think eight to one, and I think it was Mr. Jeffrey who opposed it. The Senate has gone through exhaustive hearings on this bill. It's in good shape right now, and to do anything but to let this body act on it I think would be very, very wrong.

ASSEMBLYMAN CRADDOCK:

Mr. Speaker, I would like to know whether or not I have the amendments. I have five one page amendments. I have one three page amendment; one of them says that it conflicts with three different amendments. Another one says that it's consistent with twelve more. So, at this point in time, I am confused to the point that I don't even know whether I have the amendments, because the list of twelve that it conflicts with is not on my desk.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, I don't know the reason for that either, but I do know that one of the amendments the committee did not accept, one that I thought they were inclined to accept, is not here. I don't know about that. I would like to point out to my freshman colleague from Las Vegas that putting the bill on the Chief Clerk's desk does not kill the bill. I had the Insurance Commissioner come to me after the five minute meeting he had this afternoon telling me that he had a problem with the rating in the bill, and he needed to have an amendment on that. He didn't have a chance to address it. All I can say is that the Insurance Division and various other agencies are going to have problems with this bill. They should certainly have a chance to be heard.

Assemblymen Francis, DuBois and Brady requested a roll call on Assemblyman Jeffrey's motion.

Roll call on Assemblyman Jeffrey's motion:

YEAS—17.

NAYS—Banner, Bergevin, Beyer, Bilyeu, Brady, Bremner, Chaney, DuBois, Francis, Getto, Ham, Humke, Joerg, Kerns, Kovacs, Malone, Marvel, Nicholas, Redelsperger, Sedway, Thomas, Zimmer—22.

Absent—Bourne, Perry—2.

Not voting—Fay.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

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

Assembly in recess at 3:43 p.m.

ASSEMBLY IN SESSION

At 3:44 p.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 136.
Bill read second time.
The following amendment was proposed by Assemblyman Jeffrey:
Amendment No. 1184.
Amend sec. 7, page 2, line 18, by deleting: "*except a self-insured employer*".
Amend sec. 7, page 2, by deleting lines 28 through 33 and inserting:
"*(b) Statewide, toll-free telephone service to its facilities in this state or shall accept collect calls from injured employees.*
2. The system and each private carrier shall maintain an office in:
(a) Each county having a population of 100,000 or more in which the insurer does business; and
(b) The county having a population of 100,000 or more which is located nearest to each county having a population of less than 100,000 in which the insurer does business.
3. The system and each private carrier shall provide:
(a) Adequate services to its insured employers in controlling losses; and
(b) Adequate information on the prevention of industrial accidents and occupational diseases.".
Amend sec. 28, page 9, line 36, by deleting open bracket.
Amend sec. 28, page 9, line 38, by deleting closed bracket.
Amend sec. 28, page 9, line 42, by deleting "*5.*" and inserting "*6.*".
Amend sec. 57, page 23, by deleting line 29 and inserting:
"*insurance.*
(j) Discharges or threatens to discharge an employee for exercising his rights under this chapter.".
Assemblyman Francis moved the adoption of the amendment.
Remarks by Assemblyman Francis.
Assemblyman Berkley requested that Assemblyman Francis's remarks be entered in the Journal:

Thank you, Mr. Speaker. Amendment No. 1184. This amendment requires insurance companies to keep a full service office in Washoe and Clark Counties to service the employers and employees in those counties.

Amendment adopted.
The following amendment was proposed by Assemblyman Thompson:
Amendment No. 1172.

Amend sec. 21, page 5, line 27, by deleting "*may*" and inserting "*shall*".

Amend sec. 21, page 5, by deleting lines 28 through 29 and inserting: "*private carrier to write industrial insurance for 1 year, if the administrator finds that the private carrier has inten-*".

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Assemblyman Berkley requested that Assemblyman Thompson's remarks be entered in the Journal:

ASSEMBLYMAN THOMPSON:

This provides that the administrator shall suspend the certification of a private carrier to write industrial insurance for a period of one year if he knowingly and repeatedly fails to comply with the provisions of NRS 616.617.

Amendment adopted.

The following amendment was proposed by Assemblyman Berkley:

Amendment No. 1232.

Amend sec. 24.5, page 7, by deleting lines 12 through 14 and inserting: "any [other service. Except as otherwise provided for specified positions, its employees are in the classified service of the state.] *of those services.*".

Amend the bill as a whole by adding a new section, designated section 24.7, following section 24.5, to read as follows:

"Sec. 24.7. NRS 616.1717 is hereby amended to read as follows:

616.1717 The manager and assistant managers are [in the unclassified service of the state but are] entitled to receive annual salaries fixed by the board.".

Amend sec. 25, page 7, by deleting lines 28 through 33 and inserting:

"3. May appoint [in the unclassified service of the state] no more than five persons, engaged in management, who report directly to the manager or an assistant manager. The board shall designate these positions, and [may not change them without the approval of the advisory personnel commission. These] *these* persons are entitled to receive annual salaries fixed by the board.".

Amend sec. 25.3, page 8, by deleting lines 13 through 22 and inserting:

"[11. Fix the salaries of all persons employed in the classified service to administer the system in accordance with the pay plan of the state adopted pursuant to the provisions of chapter 284 of NRS. No classified employee on the staff of the system may be removed in a manner contrary to the provisions of chapter 284 of NRS.] *The manager and all employees of the system are exempt from the provisions of chapter 284 of NRS. The board shall establish the compensation for all persons employed by the system and any other conditions of employment. Unless the board provides otherwise, the regulations which are adopted pursuant to chapter 284 of NRS apply to the manager and all other employees of the system.*".

Amend sec. 25.3, page 8, line 23, by deleting "12." and inserting "[12.] *11.*".

Amend the bill as a whole by renumbering section 65.3 as section 65.4 and adding a new section, designated section 65.3, following section 65.2, to read as follows:

"Sec. 65.3. NRS 284.3775 is hereby amended to read as follows:

284.3775 Employees of the [supreme court or the legislative] *:*

1. Supreme court;

2. State industrial insurance system; and

3. Legislative branch of the government of the State of Nevada *,* who have served for 2 consecutive years or more are entitled to transfer to a position having similar duties and compensation in the classified service of the state on the same basis as employees may transfer within the classified service from a position under one appointing authority to a position under another appointing authority. The benefit conferred by this section includes any exemption from the taking of a competitive examination, retention of credits for annual and sick leave and longevity, and priority on the lists of eligible persons to the extent that such privileges are accorded to employees transferring within the classified service.".

Amend sections 65.7 and 65.9, page 29, by deleting line 28 and inserting:

"Sec. 65.7. NRS 353.224 is hereby amended to read as follows:

353.224 1. A state agency other than the University of Nevada System *, the state industrial insurance system* and vocational licensing boards may not change a position for which money has been appropriated or authorized from one occupational class or subclass to another, as defined by the index developed pursuant to NRS 284.171, without the approval of the legislature or of the interim finance committee.

2. All proposed changes of positions from one occupational class or subclass to another must be submitted to the interim finance committee. The interim finance committee has 45 days after a proposal is submitted to its secretary within which to consider it. Any proposed change of a position from one occupational class or subclass to another which is not considered within the 45-day period shall be deemed approved.

3. The secretary shall place each request submitted to him pursuant to subsection 2 on the agenda of the next meeting of the interim finance committee.

4. In acting upon a proposed change of position, the interim finance committee shall consider, among other things:

(a) The need for the proposed change; and

(b) The intent of the legislature in approving the existing classification of positions.

Sec. 65.9. (Deleted by amendment.)".

Assemblyman Berkley moved the adoption of the amendment.

Remarks by Assemblymen Berkley, Jeffrey and Francis.

Assemblyman Berkley requested that the following remarks be entered in the Journal:

ASSEMBLYMAN BERKLEY:

This amendment will help enable SIIS to compete with private insurance companies on an equal footing by taking SIIS out from under the state personnel system. If Senate Bill No. 136 is passed, SIIS will have to quickly hire various personnel as well as possibly reduce certain positions, as the need arises. Under the current state personnel system, SIIS has no latitude in its hiring or reduction practices. If we are going to force SIIS to compete with private insurance companies, we must allow them to do so on a fair and equal footing. I understand this amendment is substantially similar to one that was agreed to on the Senate side. When the bill was reprinted this amendment was omitted. By approving this amendment we are merely conforming this bill to what has already been agreed to by the parties in interest.

ASSEMBLYMAN JEFFREY:

As a matter of information, Mr. Speaker pro Tempore, there were several amendments that were in conflict this morning. The committee did not accept this amendment. There was an agreement on Amendment No. 1234 that has not been distributed. We heard testimony in committee that this amendment was not agreed to by the Senate.

ASSEMBLYMAN FRANCIS:

Amendment No. 1234 was not in agreement with the committee this morning. We didn't take action on that so I agree with Mrs. Berkley that this is an important aspect to this particular bill.

Amendment adopted.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1215.

Amend sec. 30, page 11, after line 12 by inserting:

"*4. Each insurer which orders rehabilitative services for an injured worker pursuant to this section, shall, pursuant to the regulations of the administrator, require the worker to obtain the services from the center for the rehabilitation of injured workers which is owned and operated by the State of Nevada, or any other appropriate center designated by the administrator by regulation.*".

Assemblyman Francis moved the adoption of the amendment.

Remarks by Assemblyman Francis.

Assemblyman Berkley requested that Assemblyman Francis' remarks be entered in the Journal:

Thank you, Mr. Speaker pro Tempore. This amendment requires insurance companies to use the Jeanne Hanna Clark Rehabilitation Center. This assures the fiscal solvency of this rehabilitation center. In special cases the administrator may require other services if the rehabilitation center is not equipped to handle the injury. We think this is a very good addition to this particular bill.

Amendment adopted.

The following amendment was proposed by Assemblyman Jeffrey:

Amendment No. 1183.

Amend sec. 57, page 24, after line 3 by inserting:

"*7. The administrator shall pay the amount collected for any fine imposed by him:*

(a) Pursuant to the provisions of paragraphs (a) to (f), inclusive, of subsection 1, to the claimant; and

(b) Pursuant to any other provision of this section, to the state treasurer for credit to the state general fund.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblymen Jeffrey and Francis.

Assemblyman Berkley requested that the following remarks be entered in the Journal:

ASSEMBLYMAN JEFFREY:

This deals with the fine section of the bill. What the amendment does is if any fines that damage the claimant, accrue to the claimant and any other fines having to do with administrative practice accrue to the State General Fund. The way the law works at the present time, any of these administrative fines go to the Department of Industrial Regulation, and they would offset the assessment against the employees to operate that fund. I don't know how that ever happened in the first place, because I think it's the only case I know of in state government where we have the fines accrue to the fining agency. It never should have happened that way in the first place, and I am sure that this amendment will get some opposition. But if the claimant is the one that is damaged by the actions of the employer, then the fine that is collected should go to the claimant.

ASSEMBLYMAN FRANCIS:

With all due respect to my colleague, this is another attempt to change existing law on where the fines go, or on tips or anything else we have heard today. This has nothing, absolutely nothing, to do with the three-way issue. Section 8 of the bill provides protection for the worker as a triple benefit clause in addition to other benefits, and this is not a three-way issue here and is just another attempt to do something with this bill that it is not intended to do.

ASSEMBLYMAN JEFFREY:

Mr. Speaker pro Tempore, I submit to you that we have just adopted four amendments that have nothing to do with whether we have three-way insurance or not. They provide protection either to the system or to the claimant. This amendment follows the same substance.

Assemblymen Francis, Joerg and Zimmer requested a roll call on Assemblyman Jeffrey's motion.

Roll call on Assemblyman Jeffrey's motion:

YEAS—19.

NAYS—Banner, Bergevin, Beyer, Bilyeu, Brady, Bremner, DuBois, Francis, Getto, Ham, Humke, Joerg, Kerns, Malone, Marvel, Nicholas, Perry, Redelsperger, Schofield, Thomas, Zimmer—21.

Not voting—Coffin, Fay—2.

The motion having failed to receive a majority, Mr. Speaker pro Tempore declared the amendment lost.

The following amendment was proposed by Assemblyman Jeffrey:

Amendment No. 1182.

Amend the bill as a whole, page 5, by deleting section 19 and inserting:

"Sec. 19. (Deleted by amendment.)".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Assemblyman Berkley requested that Assemblyman Jeffrey's remarks be entered in the Journal:

This amendment deletes Section 19 in the bill. Section 19 allows for groups of employers to get together for purposes of self-insurance. It was the proposal that was advanced to the interim committee. The interim committee rejected the proposal. We had a bill last session that did the same thing. The Assembly rejected that proposal and I feel that this provision does nothing more than to provide another lawyer that the claimant has to go through to get a claim processed. What would happen is if the employer denied the claim, the secretary of the association would also be in a position

to deny the claim. That doesn't happen at the present time. The secretary of the association would be under pressure from the employees within the group to deny those claims, and it would just delay the claim process.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

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

Assembly in recess at 3:53 p.m.

ASSEMBLY IN SESSION

At 3:54 p.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 406.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 1255.

Amend sec. 2, page 2, line 3, by deleting "*five*" and inserting "*10*".

Amend sec. 2, page 2, line 4, after "*current*" by inserting "*or following*".

Amend sec. 2, page 2, by deleting lines 7 and 8 and inserting "*current or following year.*".

Assemblyman Coffin moved the adoption of the amendment.

Remarks by Assemblyman Coffin.

Amendment adopted.

Assemblyman Coffin moved that Senate Bill No. 406 be re-referred to the Committee on Transportation.

Motion carried.

Bill ordered reprinted and re-engrossed.

GENERAL FILE AND THIRD READING

Senate Bill No. 366.

Bill read third time.

Remarks by Assemblyman Schofield.

Roll call on Senate Bill No. 366:

YEAS—39.

NAYS—Bilyeu, Joerg, Nicholas—3.

Senate Bill No. 366 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 417.

Bill read third time.

Remarks by Assemblymen Bogaert, Joerg, Dini, Beyer and Bourne.

Assemblyman Bourne moved that Senate Bill No. 417 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblymen Bourne, Bogaert, Kovacs and Beyer.

Assemblyman Bourne withdrew his motion.

Remarks by Assemblymen Bilyeu and Dini.

Assemblyman Bilyeu moved that Senate Bill No. 417 be taken from the General File and placed on Chief Clerk's desk.

Remarks by Assemblymen Bilyeu and Dini.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 86 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman Jeffrey.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 86.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1261.

Amend sec. 16, page 4, line 22, after "state]" by inserting: "*or other certificate of deposit*".

Amend sec. 16, page 5, line 41, by deleting: "limitation] any certificate of deposit," and inserting: "limitation any certificate of deposit,] *any*".

Amend sec. 16, page 5, line 43, by deleting "*5*" and inserting "*7*".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 7 p.m.

Assembly in recess at 4:05 p.m.

ASSEMBLY IN SESSION

At 7:19 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 445, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 19, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 321, 541, 570, 612, 666, 668.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 163, 232, 254, 441, 449, 497, 567, 577, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 475 and requests a conference, and appointed Senators Bilbray, Glover and Raggio as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 531 and requests a conference, and appointed Senators Robinson, Hickey and Wagner as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 597 and requests a conference, and appointed Senators Glaser, Lamb and Jacobsen as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 61, 63.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day adopted, as amended, Assembly Concurrent Resolution No. 57, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 460.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 423.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to concur in the Assembly amendments to Senate Joint Resolution No. 11.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 51, 53.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 57.

The following Senate amendment was read:

Amendment No. 1198.

Amend the resolution, page 1, line 17, by deleting "grown" and inserting: "grown, produced, packed, processed".

Amend the resolution, page 1, line 21, by deleting "grown" and inserting: "grown, produced, packed, processed".

Assemblyman Nicholas moved that the Assembly concur in the Senate amendment to Assembly Concurrent Resolution No. 57.

Motion carried.

Resolution ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bourne moved that Senate Bill No. 417 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Banner moved that Assembly Bill No. 455 be returned from enrollment.

Motion carried.

Assemblyman Banner moved that the vote whereby Assembly Bill No. 455 was passed be rescinded.

Remarks by Assemblyman Banner.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 441.

The following Senate amendment was read:

Amendment No. 1185.

Amend section 1, page 1, line 3, by deleting "[30 days or,]" and inserting "[30] *45* days or,".

Amend section 1, page 1, line 4, by deleting "7" and inserting "[7] *15*".

Amend section 1, page 1, by deleting lines 6 through 8 and inserting "increase.".

Amend the title of the bill, first line, by deleting "notice required" and inserting: "time within which notice must be given".

Amend the summary of the bill, first line, by deleting "notice required" and inserting: "time within which notice must be given".

Assemblyman Jeffrey moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 441.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 449.

The following Senate amendments were read:

Amendment No. 1092.

Amend sec. 5, page 6, by deleting lines 6 through 9 and inserting:

"*4. For the purposes of this section, a fire district organized pursuant to chapter 473 of NRS is a local government.*".

Amend the bill as a whole by adding new sections designated sections 15.1 through 15.9, following section 15, to read as follows:

"Sec. 15.1. Section 1.010 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, as last amended by chapter 690, Statutes of Nevada 1979, at page 1855, is hereby amended to read as follows:

Section 1.010 Preamble: Legislative intent.

1. In order to provide for the orderly government of Carson City and the general welfare of its citizens and to effect the consolidation of the governments and functions of Carson City and Ormsby County, the legislature hereby establishes this charter for the government of Carson City. It is expressly declared as the intent of the legislature that all provisions of this charter be liberally construed to carry out the expressed purposes of the charter and that the specific mention of particular powers shall not be construed as limiting in any way the general powers necessary to carry out *the* purposes of the charter.

2. Any powers expressly granted by this charter are in addition to any powers granted to a city or county by the general law of this state . [and all such powers may by reasonable classification be exercised in one or more of the taxing districts.] All provisions of Nevada Revised Statutes which are applicable to counties or generally to cities (not including chapter 265, 266 or 267 of NRS) or to both and which are not in conflict with the provisions of this charter apply to Carson City. If there is a conflict between the law pertaining to counties and the law pertaining to cities, the board of supervisors may, by resolution choose which law [shall apply.] *applies.*

Sec. 15.2. Section 2.180 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, as last amended by chapter 690, Statutes of Nevada 1979, at page 1857, is hereby amended to read as follows:

Sec. 2.180 Power of board: Animals and poultry.

[1.] The board may:

[(a)] *1.* Fix, impose and collect an annual per capita tax on all dogs and provide for the capture and disposal of all dogs on which the tax is not paid.

[(b)] *2.* Regulate or prohibit the running at large within Carson City of all kinds of animals and poultry, establish a pound, appoint a poundkeeper and prescribe his duties, distrain and impound animals and poultry running at large, and provide for the sale or other disposition of such animals and poultry. The proceeds arising from the sale of such animals and poultry after the payment of all costs, [shall go to] *must be deposited in* the treasury to be disposed of according to law.

[(c)] *3.* Prohibit cruelty to animals.

[2. Any ordinance enacted pursuant to this section may, by reasonable classification, be made applicable, in whole or in part, to one or more of the taxing districts.]

Sec. 15.3. Section 6.010 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, as last amended by chapter 690, Statutes of Nevada 1979, at page 1864, is hereby amended to read as follows:

Sec. 6.010 Local improvement law. The board [, upon behalf of one or more of the taxing districts, and in their name, without any election,] may [from time to time] acquire, improve, equip, operate and maintain, convert to or authorize : [, within or without such districts, or both within or without such districts:]

1. Curb and gutter projects;
2. Drainage projects;
3. Offstreet parking projects;
4. Overpass projects;
5. Park projects;
6. Sanitary sewer projects;
7. Security walls;
8. Sidewalk projects;
9. Storm sewer projects;
10. Street projects;

11. Underground electric and communication facilities;
12. Underpass projects; and
13. Water projects.

Sec. 15.4. Section 6.020 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, as last amended by chapter 690, Statutes of Nevada 1979, at page 1864, is hereby amended to read as follows:

Sec. 6.020 Local improvement law: Collateral powers. The board, [on behalf of one or more of the taxing districts, and in their name,] for the purposes of defraying all the cost of acquiring or improving, or acquiring and improving, or converting to, any project authorized by section 6.010, or any portion of the cost thereof not to be defrayed with [moneys] *money* otherwise available therefor, is vested with the powers granted to municipalities by chapters 271 and 704A of NRS. [If the board acts on behalf of more than one taxing district, property in all those districts may be assessed. Whether the board acts on behalf of one or more districts, the] *The* obligations imposed by NRS 271.495 and 271.500 apply to Carson City as a whole.

Sec. 15.5. Section 7.010 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, as last amended by chapter 690, Statutes of Nevada 1979, at page 1864, is hereby amended to read as follows:

Sec. 7.010 Debt limit.

1. [Carson City shall not incur an indebtedness for the taxing district or districts which incorporate the former urban district which with the indebtedness then outstanding for such district exceeds 10 percent of the total assessed valuation of the taxable property within the boundaries of the district, except indebtedness incurred for and related to the water supply of Carson City, as shown by the last preceding assessment for general (ad valorem) tax purposes. Indebtedness incurred by Carson City prior to the effective date of this charter shall be considered in determining the debt limitation of the taxing district or districts which incorporate the former urban district.

2.] Carson City shall not incur an indebtedness for the city as a whole which with the indebtedness then outstanding for the city as a whole exceeds 10 percent of the total assessed valuation of the taxable property within the boundaries of the city, except indebtedness incurred for and related to the water supply of Carson City, as shown by the last preceding assessment for general (ad valorem) tax purposes. Indebtedness incurred by Ormsby County [prior to] *before* the effective date of this charter [shall] *must* be considered in determining the debt limitation of the city as a whole.

[3.] *2.* Any indebtedness of Carson City incurred [prior to] *before* the effective date of this charter, or of the taxing district or districts which incorporate the former urban district, [shall] *must* not be considered in determining the debt limitation of the city as a whole. [Any indetedness of Ormsby County incurred prior to the effective date of this charter, or of the city as a whole incurred after the effective day

of this charter, shall not be considered in determining the debt limitation of the taxing district or districts which incorporate the former urban district.

4.] *3.* In determining any debt limitation under this section, [there shall] *the following is* not [be] counted as indebtedness:

(a) Any revenue bonds, unless the full faith and credit of the city is also pledged to their payment.

(b) Any special assessment bonds, although a deficiency in the proceeds of the assessments is required to be paid from the general fund of the city.

(c) Any short-term securities issued in anticipation of and payable from property taxes levied for the current fiscal year.

Sec. 15.6. Section 7.030 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, as last amended by chapter 690, Statutes of Nevada 1979, at page 1864, is hereby amended to read as follows:

Sec. 7.030 Borrowing money.

1. Subject to the limitations imposed by this article, Carson City may borrow money for any corporate purpose, including without limitation any purpose expressly authorized by this chapter or by Nevada Revised Statutes for a city or county , or both, and for such purpose may issue bonds or other securities. The Local Government Securities Law applies to all securities so issued.

2. The board shall submit any proposal to borrow money, except short-term financing, as defined and authorized by chapter 354 of NRS, to the registered voters of the affected area in the manner provided by NRS 350.010 to 350.070, inclusive.

3. [If the indebtedness is for the taxing district or districts which incorporate the former urban district:

(a) The question shall be submitted only to the registered voters residing in the district or districts affected.

(b) Any property tax levied to pay the principal of or interest on such indebtedness shall be levied only upon taxable property within that district or districts affected.

4. If the indebtedness is for the city as a whole:

(a) The question shall be submitted to the registered voters of the city.

(b) Any property tax levied to pay the principal of or interest on such indebtedness shall be levied upon all taxable property within the city.

5.] Any ordinance pertaining to the sale or issuance of bonds or other securities may be adopted in the same manner as is provided for cases of emergency. A declaration by the board in any ordinance that it is of this kind [shall be] *is* conclusive in the absence of fraud or gross abuse of discretion.

Sec. 15.7. Section 7.050 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, as last amended by chapter 690, Statutes of Nevada 1979, at page 1866, is hereby amended to read as follows:

Sec. 7.050 Bonded indebtedness of Ormsby County and Carson City.

1. The bonded indebtedness of Ormsby County incurred [prior to] *before* the effective date of this charter continues to be an obligation of Carson City and the board shall continue annually to levy a special tax on all the taxable property within Carson City and shall cause it to be collected until all such bonded indebtedness is retired in full.

2. The bonded indebtedness of Carson City incurred prior to the effective date of this charter continues to be an obligation of [the taxing district or districts which incorporate] the former urban district and the board shall continue annually to levy a special tax on all the taxable property within that district and shall cause it to be collected until all such bonded indebtedness is retired in full.

Sec. 15.8. Section 8.010 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, as last amended by chapter 690, Statutes of Nevada 1979, at page 1866, is hereby amended to read as follows:

Sec. 8.010 Municipal Taxes.

1. The board shall annually, at the time prescribed by law for levying taxes for state and county purposes, levy taxes at the appropriate rates upon the assessed value of all real and personal property within [the taxing districts.] *Carson City.* The taxes so levied [shall] *must* be collected at the same time and in the same manner and by the same officers, exercising the same functions, as prescribed and provided in the revenue laws of the state for the collection of state and county taxes. The revenue laws of the state [shall,] *are,* in every respect not inconsistent with the provisions of this charter, [be] applicable [and so held] to the levying, assessing and collecting of the municipal taxes.

2. [In the matter] *For the purposes* of the equalization of assessments, the rights of Carson City and the inhabitants thereof [shall] *must* be protected in the same manner and to the same extent by the action of the board of equalization as are the state and the several counties.

3. Whenever or wherever practicable and expedient, all forms and blanks used in levying, assessing and collecting the revenues of the state and the several counties [shall,] *must,* with such alterations or additions as may be necessary, be used in levying, assessing and collecting the revenues of Carson City. The board shall enact all such ordinances as it may deem necessary and not inconsistent with this charter and the laws of the state for the prompt, convenient and economical collecting of the revenue.

Sec. 15.9. Section 1.050 of the charter of Carson City, being chapter 213, Statutes of Nevada 1969, at page 289, is hereby repealed.''.

Amend sec. 20, page 16, line 5, by deleting ''This'' and inserting:

''1. This''.

Amend sec. 20, page 16, by inserting after line 6:

''2. Section 15.3 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Amend the title of the bill, fourth line, after ''sales;'' by inserting: ''amending the charter of Carson City to provide for a single taxing district;''.

Amendment No. 1118.

Amend sec. 3, page 3, line 24, by deleting "counties and cities" and inserting: "[counties and cities] *local governments*".

Amend sec. 9, page 8, by deleting lines 6 and 7 and inserting: "ports, airport authorities, convention authorities , [or] the Las Vegas Water District [.] *or the Clark County Sanitation District.*".

Amend sec. 16, page 14, line 19, by deleting "$42,000" and inserting "$65,000".

Amend sec. 16, page 14, line 20, by deleting "$17,344" and inserting "$36,583".

Amend sec. 16, page 14, by deleting line 21 and inserting:

"4. For Clark County Fire Service Area:

(a) For the fiscal year beginning on July 1, 1983, the maximum allowable combined revenue is $8,257,317.

(b) For the fiscal year beginning on July 1, 1983, the assessed valuation is $2,894,315,390.

(c) For the fiscal years beginning on and after July 1, 1983, the tax rate, in cents per $100 of assessed valuation, used to compute the basic ad valorem revenue pursuant to NRS 377.057 is 27.58.

(d) For the fiscal year beginning on July 1, 1984, the amount of $410,603 is approved by the legislature to be added to the maximum combined revenue otherwise allowable under NRS 354.5982.".

Amend the bill as a whole by adding a new section designated section 16.5, following section 16, to read as follows:

"Sec. 16.5. 1. The following amounts are approved by the legislature to be subtracted from the maximum combined revenue otherwise allowable under NRS 354.5982 to the respective local governments, for the fiscal year beginning on July 1, 1983:

East Las Vegas	$249,965
Paradise	3,394,451
Spring Valley	34,489
Sunrise Manor	1,856,362
Winchester	932,923
Southwest Fire District	1,789,127

2. For the fiscal year beginning on July 1, 1980, the following amounts, expressed in cents per $100 of assessed valuation, are required by the legislature to be subtracted from the tax rates otherwise established for the purpose of computing the basic ad valorem revenue of the respective local governments:

East Las Vegas	$58.52
Paradise	23.37
Spring Valley	20.00
Sunrise Manor	74.36
Winchester	19.09
Southwest Fire District	60.00"

Amend sec. 19, page 16, line 3, by deleting "The" and inserting: "1. The".

Amend sec. 19, page 16, by inserting between lines 4 and 5:

"2. Notwithstanding the provisions of section 8 of Senate Bill No. 27 of this session, on or before May 20, 1983, the executive director of the department of taxation shall provide to each local government the estimated amount to be received by that local government from the supplemental city-county relief tax in the fiscal year beginning on July 1, 1983.".

Amendment No. 1153.

Amend sec. 4, page 5, by deleting lines 3 and 4 and inserting: "the requested short-term financing, unless the resolution [provides for a special tax exempt from the limitation on taxes ad valorem,] *is governed by subsection 3,* either".

Amend sec. 4, page 5, line 14, by deleting "[3. If" and inserting "3. [If".

Amend sec. 4, page 5, line 18, by inserting after the closed bracket: "*Short-term financing for a capital expenditure for public safety may be repaid from the proceeds of a special tax exempt from the limitation on taxes ad valorem, but only if the Nevada tax commission approves this method of repayment in the particular case. The executive director shall recommend approval or disapproval to the commission.*".

Amend sec. 9, page 8, line 40, by deleting "1981," and inserting "1982,".

Amend sec. 9, page 9, line 2, by deleting "1981," and inserting "1982,".

Amend sec. 9, page 9, line 6, by deleting "1981," and inserting "1982,".

Amend sec. 10, page 11, line 3, by deleting "[4. The" and inserting "4. [The".

Amend sec. 10, page 11, line 9, after the bracket by inserting: "*If the short-term financing is for a capital expenditure for public safety, the governing body may in its resolution request the approval of the Nevada tax commission to repay it from the proceeds of a special tax exempt from the limitation on levy of taxes ad valorem imposed by sections 8 to 10, inclusive, of Senate Bill No. 27 of this session.*".

Amendment No. 1194.

Amend sec. 9, page 9, line 1, by deleting "*The percentage*" and inserting: "Eighty *percent of the proportionate*".

Amend sec. 15, page 12, line 43, by deleting "1982," and inserting "[1982,] *1984,*".

Amend sec. 15, page 13, by deleting line 5 and inserting: "the product of that assessed valuation multiplied by [the percentage] *80 percent of the proportionate*".

Amend sec. 16, page 14, line 3, by deleting "$462,935" and inserting "$476,195".

Amendment No. 1238.

Amend sec. 9, page 9, by deleting lines 20 and 21 and inserting: "during the preceding calendar year by 80 percent or more of the increase in the Consumer Price".

Amend the bill as a whole by renumbering section 15 as section 14.5

and adding a new section designated section 15, preceding section 15.1, to read as follows:

"Sec. 15. Section 10 of Senate Bill No. 27 of this session is hereby amended to read as follows:

Sec. 10. For each fiscal year beginning on or after July 1, 1983, the revenue of the local government from taxes ad valorem, except those levied for debt service, must not exceed the amount calculated as follows:

1. [Except as provided in subsection 2, the] *The* rate must be set so that when applied to the current fiscal year's assessed valuation of all property which was on the preceding fiscal year's assessment roll it will produce 104.5 percent of the revenue received from taxes ad valorem in the preceding fiscal year.

2. [If the total revenue received from taxes ad valorem, except those levied for debt service, in any fiscal year drops below 20 percent of the maximum allowable combined revenue, the rate for the next year must be set so that when applied to the total assessed valuation it will produce an amount equal to the difference between the maximum allowable combined revenue and the estimated receipts from the supplemental city-county relief tax.

3.] This rate must be applied to the total assessed valuation, including new real property, possessory interest and mobile homes, for the current fiscal year.".

Amendment No. 1239.

Amend sec. 15.5, page 16, by deleting lines 2 through 40 and inserting:

"1. [Carson City shall not incur an indebtedness for the taxing district or districts which incorporate the former urban district which with the indebtedness then outstanding for such district exceeds 15 percent of the total assessed valuation of the taxable property within the boundaries of the district as shown by the last preceding assessment for general (ad valorem) tax purposes. Indebtedness incurred by Carson City before the effective date of this charter must be considered in determining the debt limitation of the taxing district or districts which incorporate the former urban district.

2.] Carson City shall not incur an indebtedness for the city as a whole which with the indebtedness then outstanding for the city as a whole exceeds 15 percent of the total assessed valuation of the taxable property within the boundaries of the city as shown by the last preceding assessment for general (ad valorem) tax purposes. Indebtedness incurred by Ormsby County before the effective date of this charter must be considered in determining the debt limitation of the city as a whole.

[3.] 2. Any indebtedness of Carson City incurred before the effective date of this charter, or of the taxing district or districts which incorporate the former urban district, must not be considered in determining the debt limitation of the city as a whole. [Any indebtedness of Ormsby County incurred before the effective date of this charter, or of the city as a whole incurred after the effective date of this charter,

must not be considered in determining the debt limitation of the taxing district or districts which incorporate the former urban district.

4.] *3.* In determining any debt limitation under this section, [there must] *the following is* not [be] counted as indebtedness:

(a) Any revenue bonds, unless the full faith and credit of the city is also pledged to their payment.

(b) Any special assessment bonds, although a deficiency in the proceeds of the assessments is required to be paid from the general fund of the city.

(c) Any short-term securities issued in anticipation of and payable from property taxes levied for the current fiscal year.''.

Amend sec. 15.6, pages 16 and 17, by deleting lines 41 through 44 on page 16 and lines 1 through 30 on page 17 and inserting:

''Sec. 15.6. (Deleted by amendment.)''.

Amend sec. 20, page 22, line 11, by deleting ''Section 15.3'' and inserting:

''Sections 15.3, 15.5 and 15.9''.

Assemblyman May moved that the Assembly concur in the Senate amendments to Assembly Bill No. 449.

Motion carried.

Bill ordered enrolled.

Assemblyman Kovacs moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 7:27 p.m.

ASSEMBLY IN SESSION

At 7:33 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 331, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 51.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

Senate Concurrent Resolution No. 53.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Government Affairs.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 460.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Legislative Functions.

Motion carried.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Thompson, Banner and Sader as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 475.

Mr. Speaker appointed Assemblymen Bourne, Collins and Thomas as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 531.

Mr. Speaker appointed Assemblymen Sader, Banner and Dini as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 597.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and Senate Bills Nos. 124, 446 and 473 be declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

SECOND READING AND AMENDMENT

Senate Bill No. 331.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1266.

Amend sec. 3, pages 2 and 3, by deleting lines 12 through 43 on page 2 and lines 1 through 38 on page 3 and inserting:

"463.310 1. The board shall make appropriate investigations:

(a) To determine whether there has been any violation of this chapter, chapter 464 or chapter 465 of NRS or any regulations adopted thereunder.

(b) To determine any facts, conditions, practices or matters which it may deem necessary or proper to aid in the enforcement of any such law or [rules and regulations.] *regulation.*

(c) To aid in adopting regulations.

(d) To secure information as a basis for recommending legislation relating to this chapter, chapter 464 or chapter 465 of NRS.

(e) As directed by the commission.

2. If, after any investigation the board is satisfied that a license, registration, finding of suitability, pari-mutuel license or prior approval by the commission of any transaction for which [such] *the* approval was required or permitted under the provisions of this chapter or chapter 464 of NRS should be limited, conditioned, suspended or revoked, it

shall initiate a hearing before the commission by filing a complaint with the commission in accordance with NRS 463.312 and transmit therewith a summary of evidence in its possession bearing on the matter and the transcript of testimony at any investigative hearing conducted by or on behalf of the board.

3. Upon receipt of the complaint of the board, the commission shall review it and all matter presented in support thereof, and, if satisfied that probable grounds exist for disciplinary or other action, shall conduct further proceedings in accordance with [NRS 463.312.] *sections 13 to 18, inclusive, of this act.* If the commission is not satisfied that probable grounds exist for disciplinary or other action, it may order the complaint withdrawn without prejudice to the filing of another complaint after further investigation and reconsideration by the board.

4. After the provisions of subsections 1, 2 and 3 [above] have been complied with, the commission may:

(a) Limit, condition, suspend or revoke the license of any licensed gaming establishment or the individual license of any licensee without affecting the license of the establishment;

(b) Limit, condition, suspend or revoke any registration, finding of suitability, pari-mutuel license, or prior approval given or granted to any applicant by the commission;

(c) Order a licensed gaming establishment to keep an individual licensee from the premises of [such] *the* licensed gaming establishment or not to pay [such] *the* licensee any remuneration for services or any profits, income or accruals on his investment in [such] *the* licensed gaming establishment; and

(d) Fine each person or entity or both, who was licensed, registered or found suitable pursuant to this chapter or chapter 464 of NRS or who previously obtained approval for any act or transaction for which commission approval was required or permitted under the provisions of this chapter or chapter 464 of NRS, not more than $100,000 for each separate violation of the provisions of this chapter, chapter 464 or chapter 465 of NRS or of the regulations of the commission which is the subject of an initial complaint and not more than $250,000 for each separate violation of the provisions of this chapter, chapter 464 or chapter 465 of NRS or of the regulations of the commission which is the subject of any subsequent complaint.

All fines must be paid to the state treasurer for deposit in the state general fund.

5. For the second violation of any provisions of chapter 465 of NRS by any licensed gaming establishment or individual licensee, the commission shall revoke the license of the establishment or person.

6. If the commission limits, conditions, suspends or revokes any license or imposes a fine, or limits, conditions, suspends or revokes any registration, finding of suitability, pari-mutuel license or prior approval, it shall issue its written order therefor after causing to be prepared and filed its written decision upon which the order is based.

7. Any such limitation, condition, revocation, suspension or fine so made is effective until reversed upon judicial review, except that the

commission may stay its order pending a rehearing or judicial review upon such terms and conditions as it deems proper.

8. Judicial review of any such order or decision of the commission may be had in accordance with NRS 463.315 [.] *and sections 19, 20 and 21 of this act.*''.

Amend sec. 14, page 19, by deleting lines 21 and 22 and inserting:

''Sec. 14. *1. At all hearings before the commission other than investigative hearings:*''.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Legislative Functions:

Assembly Bill No. 676—An Act making appropriation from the state general fund to the legislative commission for the support of interim studies and statutory committees; and providing other matters properly relating thereto.

Assemblyman Kovacs moved that the bill be referred to the Concurrent Committees on Legislative Functions and Ways and Means.

Motion carried.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 7:39 p.m.

ASSEMBLY IN SESSION

At 7:44 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 467.

Bill read third time.

Remarks by Assemblyman Bogaert.

Roll call on Assembly Bill No. 467:

YEAS—42.

NAYS—None.

Assembly Bill No. 467 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 445.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Senate Bill No. 445:

YEAS—37.

NAYS—Coffin, Collins, Kovacs, Malone, Price—5.

Senate Bill No. 445 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 417.

Bill read third time.

Remarks by Assemblymen Dini, Bilyeu and Bremner.

Assemblyman Stone requested that Assemblyman Bilyeu's remarks be entered in the Journal:

The question that was posed concerning Senate Bill No. 417, a number of us had a conference with Frank Daykin. Specifically, the question arose as to Section 2, Subsection 7, and generally the bill as a whole. But Subsection 7 of Section 2 essentially is the language that is required to, in effect, establish a special entity such as this, and in no way abrogates the law insofar as it concerns the state water law. We were assured of that. The language in that section is merely necessary in order to create this special entity. Moreover, Mr. Daykin assured us that, in fact, the Metropolitan Water Authority could not, in effect, create their own water law. That they were limited in what they could do by Section 11 of the bill. With those assurances, the bill appears to be satisfactory, and it is just merely the creation of the Washoe County Metropolitan Authority, an entity which will essentially do planning and study.

Roll call on Senate Bill No. 417:

YEAS—41.

NAYS—Price.

Senate Bill No. 417 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 455.

Bill read third time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1274.

Amend section 1, page 1, by deleting lines 2 through 14 and inserting:

"332.035 1. Except as otherwise provided by specific statute:

(a) A governing body or its authorized representative may enter into a contract of any nature without advertising when the estimated amount required to perform the contract is [$5,000] *$10,000* or less.

(b) If the estimated amount required to perform the contract is more than [$2,500] *$5,000* but not more than [$5,000,] *$10,000,* requests for bids must be submitted to two or more persons capable of performing the contract, if available. The governing body or its authorized representative shall maintain a permanent record of all requests for bids and all bids received.

2. Nothing in this section prohibits a governing body or its authorized representative from advertising for or requesting bids regardless of the estimated amount to perform the contract.".

Amend the bill as a whole by adding a new section, designated section 4, following section 3, to read as follows:

"Sec. 4. Section 1 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Senate Bill No. 444 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 124.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 124:

YEAS—42.

NAYS—None.

Senate Bill No. 124 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 446.

Bill read third time.

Remarks by Assemblyman Stone.

Roll call on Senate Bill No. 446:

YEAS—42.

NAYS—None.

Senate Bill No. 446 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 473.

Bill read third time.

Remarks by Assemblymen Dini and Sedway.

Assemblyman Jeffrey moved that Senate Bill No. 473 be taken from the General File and placed on the Chief Clerk's desk.

Assemblymen Bourne, Humke and Jeffrey requested a roll call on Assemblyman Jeffrey's motion.

Roll call on Assemblyman Jeffrey's motion:

YEAS—19.

NAYS—Banner, Bergevin, Berkley, Beyer, Bogaert, Bourne, Chaney, Coffin, Dini, Fay, Francis, Ham, Humke, Joerg, Kerns, Marvel, Nevin, Nicholas, Perry, Redelsperger, Schofield, Sedway, Stone—23.

The motion having failed to receive a majority, Mr. Speaker declared it lost.

Remarks by Assemblymen Stewart, Thomas, Bourne and Sedway.

Roll call on Senate Bill No. 473:

YEAS—26.

NAYS—Bilyeu, Brady, Bremner, Coffin, Collins, Craddock, DuBois, Francis, Getto, Kovacs, Stewart, Swain, Thomas, Thompson, Zimmer, Mr. Speaker—16.

Senate Bill No. 473 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 444.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1270.

Amend sec. 11, page 6, by deleting line 30 and inserting:

"(p) Any fund for which this provision is made by specific statute,".

Amend the bill as a whole by renumbering section 13 as section 14 and adding a new section designated section 13, following section 12, to read as follows:

"Sec. 13. Section 11 of Senate Bill No. 112 of this session is hereby amended to read as follows:

Sec. 11. 1. This section, section 10 and subsection 2 of section 9 of this act shall become effective upon passage and approval.

2. Section 8 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 361.

Bill read third time.

Remarks by Assemblyman Bourne.

Roll call on Senate Bill No. 361:

YEAS—39.

NAYS—None.

Not voting—Humke, Marvel, Price—3.

Senate Bill No. 361 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 452 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Taxation, to which was re-referred Assembly Bill No. 419, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAUL W. MAY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 236, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which were referred Senate Bill No. 43; Senate Joint Resolution No. 26, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 419.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1281.

Amend the bill as a whole by deleting section 1 and renumbering section 2 as section 1.

Amend sec. 2, page 2, line 27, by deleting both brackets.

Amend sec. 2, page 2, line 31, by deleting: "*it on the basic tax roll*".

Amend sec. 2, page 2, line 32, by deleting the open bracket.

Amend sec. 2, page 2, line 34, by deleting the closed bracket.

Amend sec. 2, page 2, by deleting line 36 and inserting: "*year must be placed on the unsecured tax*".

Amend the bill as a whole by deleting sections 3 through 6 and renumbering section 7 as section 2.

Amend sec. 7, page 7, line 11, by deleting "[15.] *10.*" and inserting "15.".

Amend the bill as a whole by deleting sections 8 through 12 and renumbering section 13 as section 3.

Amend sec. 13, page 11, by deleting lines 3 through 5 and inserting: "then within the county. The lien attaches upon all [other] *migratory* property *, as described in NRS 361.505,* on the day".

Amend the bill as a whole by deleting sections 14 through 16 and renumbering section 17 as section 4.

Amend sec. 17, page 13, by deleting lines 2 through 7 and inserting: "pay the taxes on both his real and personal property, shall proceed immediately to collect the taxes on the personal property so assessed, except as to mobile homes as provided in subsection 3 of NRS 361.483.

2.] *shall place it on the unsecured tax roll.*".

Amend sec. 17, page 13, by deleting lines 22 through 30 and inserting:

"3. The person who pays such taxes is not thereby deprived of his right to have the assessment equalized, and if, upon equalization, the value is reduced, the taxes paid must be refunded to that person from the county treasury, upon the order of the county or state board of equalization in proportion to the reduction of the value made.".

Amend the bill as a whole by deleting sections 18 through 28 and renumbering section 29 as section 5.

Amend the bill as a whole by deleting sections 30 through 34 and renumbering section 35 as section 6.

Amend the bill as a whole by deleting section 36 and renumbering section 37 as section 7.

Amend sec. 37, page 23, by deleting lines 13 through 15 and inserting:

"Sec. 7. Sections 4 and 5 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Amend the title of the bill by deleting the first through sixth lines and inserting:

"An Act relating to the property tax; providing for the regular assessment of real property as of July 1 and the entry of subsequently constructed improvements on the unsecured roll; fixing July 1 as the date of the lien for taxes on certain personal property; deferring the normal collection of tax on migratory property; and".

Assemblyman Price moved the adoption of the amendment.

Remarks by Assemblyman Price.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 43.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 43:

YEAS—38.

NAYS—None.

Not voting—Humke, May, Redelsperger, Stewart—4.

Senate Bill No. 43 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 236.

Bill read third time.

Remarks by Assemblyman Berkley.

Roll call on Senate Bill No. 236:

YEAS—42.

NAYS—None.

Senate Bill No. 236 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 26.

Resolution read third time.

Remarks by Assemblymen Thompson, Nevin and Jeffrey.

Roll call on Senate Joint Resolution No. 26:

YEAS—42.

NAYS—None.

Senate Joint Resolution No. 26 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Senate Bill No. 93 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 93.

Bill read third time.

The following amendment was proposed by Assemblyman Bilyeu:

Amendment No. 1251.

Amend section 1, page 2, line 2, by deleting "and".

Amend section 1, page 2, line 33, by deleting "and".

Amend section 1, page 2, line 34, by deleting "fund," and inserting "fund; and".

Amend section 1, page 2, by inserting between lines 34 and 35:

"(p) Any fund for which this provision is made by specific statute,".

Amend sec. 20, page 12, by deleting lines 13 through 42 and inserting:

"Sec. 20. Section 11 of Senate Bill No. 112 of this session is hereby amended to read as follows:

Sec. 11. 1. This section, section 10 and subsection 2 of section 9 of this act shall become effective upon passage and approval.

2. Section 8 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Amend sec. 21, page 13, line 1, by deleting "1,".

Amend sec. 21, page 13, after line 2 by inserting:

"3. Section 1 of this act shall become effective at 12:02 a.m. on July 1, 1983.".

Assemblyman Bilyeu moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

The following amendment was proposed by Assemblyman Bremner:

Amendment No. 1267.

Amend sec. 16, page 10, by deleting lines 20 through 45 and inserting:

"Sec. 16. (Deleted by amendment.)".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and Senate Bill No. 370 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 370.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 370.

YEAS—42.

NAYS—None.

Senate Bill No. 370 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 254.

The following Senate amendments were read:

Amendment No. 823.

Amend sec. 13, page 7, by deleting lines 26 through 39 and inserting: "may elect to receive his compensation in a lump sum. A claimant injured on or after July 1, 1981, who incurs a disability that does not exceed 25 percent may elect to receive his compensation in a lump sum.".

Amend sec. 13, page 7, line 40, by deleting "[(c)] *(d)*" and inserting "(b)".

Amend sec. 13, page 8, by deleting lines 3 through 7 and inserting:

"2. If the claimant elects to receive his payment for a permanent partial disability in a lump sum, all of his benefits for compensation terminate. His acceptance of that payment constitutes a final settlement of all factual and legal issues in the case. By so accepting he waives all of his rights regarding the claim, including the right to appeal from the closure of the case or the percentage of his disability, except:

(a) His right to reopen his claim according to the provisions of NRS 616.545; and

(b) Any services for counseling, training or rehabilitation provided by the insurer.

The claimant must be advised in writing of the provisions of this subsection when he demands his payment in a lump sum, and has 20 days after the mailing or personal delivery of this notice within which to retract or reaffirm his demand, before payment may be made and his election becomes final.".

Amend the bill as a whole by renumbering section 14 as section 15 and adding a new section designated section 14, following section 13, to read as follows:

"Sec. 14. No payment may be made as a result of the amendment of subsection 4 of NRS 616.605 by section 1 of chapter 180, Statutes of Nevada 1983, to any person who before July 1, 1983:

1. Accepted his compensation in a lump sum; or

2. Received compensation for 5 years or reached his 65th birthday, whichever was later.".

Amend sec. 14, page 8, by deleting line 24 and inserting:

"Sec. 15. 1. Sections 6, 8, 10 and 11 of this act shall become effec-".

Amend sec. 14, page 8, by inserting after line 25:

"2. Section 13 of this act shall become effective at 12:02 a.m. on July 1, 1983.".

Amendment No. 945.

Amend sec. 3, page 2, by deleting lines 11 through 15 and inserting: "department or county so recognizing them, at the wage of $900 per month, and are entitled to the benefits of this chapter upon [such] *compliance therewith by the Nevada highway patrol or the* county, metropolitan police department, city or [town's complying therewith.] *town.*".

Amend sec. 15, page 8, line 30, after "Sections" by inserting "3,".

Amendment No. 1181.

Amend sec. 5, page 3, by deleting lines 1 and 2 and inserting: "State Medical Association and the Chiropractic Association of Nevada, respectively, to select and establish two panels. The members of each panel must include two".

Amend sec. 5, page 3, by deleting line 4 and inserting: "is not limited to any specialty, two psychiatrists, an internist, a family practitioner,".

Amend sec. 5, page 3, line 5, after "physician" by inserting "and two chiropractors".

Amend sec. 5, page 3, line 7, after "Association" by inserting: "or the Chiropractic Association of Nevada".

Amend sec. 5, page 3, line 8, by deleting "establish the panels" and inserting: "appoint the members from that profession".

Amend sec. 5, page 3, by deleting line 10 and inserting: "to the panel, the [chairman of the panel,]".

Amend sec. 5, page 3, line 14, by deleting "physicians" and inserting "members".

Amend sec. 5, page 3, line 16, after "physician" by inserting "or chiropractor".

Amend sec. 5, page 3, by deleting lines 19 and 20 and inserting: "with the respective approval of the Nevada State Medical Association and the Chiropractic Association of Nevada so long as each respective organization exists.".

Amend sec. 5, page 3, line 29, after "physicians" by inserting "and chiropractors".

Amend sec. 5, page 3, line 30, after "physicians" by inserting "and chiropractors".

Amend sec. 5, page 3, line 34, by deleting "It" and inserting "Such a board".

Amend sec. 15, page 8, line 30, after "3," by inserting "5,".

Assemblyman Banner moved that the Assembly concur in the Senate amendments to Assembly Bill No. 254.

Remarks by Assemblyman Banner.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Schofield moved that the Assembly do not recede from its action on Senate Joint Resolution No. 11, that a conference be requested, and that Mr. Speaker appoint a first Committee on Conference consisting of three members to meet with a like committee of the Senate.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Schofield, Craddock and Kovacs as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Joint Resolution No. 11.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 232.

The following Senate amendment was read:

Amendment No. 1190.

Amend section 1, page 1, by deleting lines 5 and 6 and inserting: "*addition is made or replacement is made whose cost, added to the cost of any prior replacements, is at least 10 percent of the cost of*".

Amend sec. 2, page 2, line 38, by deleting "*adjusted*".

Amend the bill as a whole by adding a new section designated section 2.5, following section 2, to read as follows:

"Sec. 2.5. NRS 361.227 is hereby amended to read as follows:

361.227 1. Any person determining the taxable value of real property shall appraise:

(a) The full cash value of:

(1) Vacant land by considering the uses to which it may lawfully be put, any legal or physical restrictions upon those uses, the character of the terrain, and the uses of other land in the vicinity.

(2) Improved land consistently with the use to which the improvements are being put.

(b) Any improvements made on the land by subtracting from the cost of replacement of the improvements all applicable depreciation and obsolescence.

2. The taxable value of a possessory interest for the purpose of NRS 361.157 or 361.159 may be determined:

(a) By subtracting from the cost of replacement of the improvements all applicable depreciation and obsolescence; or

(b) By capitalizing the fair economic income expectancy.

3. The taxable value of other taxable personal property, except mobile homes, must be determined by subtracting from the cost of replacement of the property all applicable depreciation and obsolescence.

4. The computed taxable value of any property must not exceed its full cash value. Each person determining the taxable value of property shall reduce it if necessary to comply with this requirement. A person determining whether taxable value exceeds full cash value or whether obsolescence is a factor in valuation may consider:

(a) Comparative sales, based on prices actually paid in market transactions.

(b) A summation of the estimated full cash value of the land and contributory value of the improvements.

(c) Capitalization of the fair economic income expectancy or fair economic rent.

A county assessor is required to make the reduction prescribed in this subsection only if the owner calls to his attention the facts warranting it but may make it if he is otherwise aware of those facts.

5. The Nevada tax commission shall by regulation establish:

(a) Standards for determining the cost of replacement of improvements of various kinds.

(b) Schedules of depreciation for personal property based on its estimated life. Depreciation of an improvement made on real property must be calculated at 1.5 percent of the cost of replacement for each year of *adjusted* actual age of the improvement, up to a maximum of 50 years.

6. The county assessor shall, upon the request of the owner, furnish within 15 days to the owner a copy of the most recent appraisal of the property.''.

Amend sec. 3, page 3, by deleting lines 24 through 26 and inserting:

''ulation of the Nevada tax commission] *of the preceding year factors* which reasonably [represents] *represent* the change, if any, in the taxable value of the property or of''.

Amend sec. 3, page 3, line 29, after ''obsolescence.'' by inserting:

''*The factor for improvements must be adopted by the Nevada tax commission. The factor for land must be developed by the county assessor and approved by the commission.*''.

Amend sec. 5, page 4, line 8, by deleting ''Section 1'' and inserting:

''1. Section 2''.

Amend sec. 5, page 4, by inserting after line 10:

''2. Sections 1 and 2.5 of this act shall become effective on January 1, 1984, for the purpose of appraising real property for taxes to be collected during the fiscal year 1985-86.''.

Assemblyman Price moved that the Assembly concur in the Senate amendment to Assembly Bill No. 232.

Remarks by Assemblyman Price.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 497.

The following Senate amendment was read:

Amendment No. 1192.

Amend section 1, page 1, line 2, after "following" by inserting "*persons and*".

Amend section 1, page 1, by deleting line 16 and inserting: "calendar year.] *Natural persons who instruct pupils in their homes or in the pupils' own homes, if this is not the only instruction those pupils receive.*".

Amend section 1, page 1, line 17, by deleting the closed bracket.

Assemblyman Craddock moved that the Assembly concur in the Senate amendment to Assembly Bill No. 497.

Remarks by Assemblyman Craddock.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 163.

The following Senate amendment was read:

Amendment No. 1096.

Amend sec. 3, page 1, line 5, by deleting: "*with intent to annoy or harm*" and inserting: "*by intimidating or threatening*".

Amend sec. 4, page 2, line 8, by deleting: "*with intent to annoy or harm*" and inserting: "*by intimidating or threatening*".

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 163.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 577.

The following Senate amendment was read:

Amendment No. 1186.

Amend sec. 4, page 3, line 29, by deleting "*$500,000,*" and inserting "*$350,000,*".

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 577.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 567.

The following Senate amendment was read:

Amendment No. 1196.

Amend section 1, page 1, by deleting lines 3 through 8 and inserting:

"*1. The board of county commissioners in each county whose population is 250,000 or more may enact an ordinance imposing a tax for the support of the county's public libraries as provided in subsection 2.*

2. An ordinance enacted pursuant to this section:

(a) Becomes effective when it is approved by a majority of the registered voters of the county voting upon a question which the board may submit to the voters at any election.

(b) Must provide that the tax is imposed for the fiscal period beginning the next succeeding July 1 following the approval of the ordinance by the voters.

(c) Must include a provision for the levy, at the same time and in the same manner as other taxes are levied, of 1.5 cents on each $100 of assessed valuation of taxable property within the county for the support of the county's libraries.

3. The county treasurer shall deposit the proceeds of the tax col-''.

Amend section 1, page 1, line 9, by deleting ''*subsection 1*'' and inserting ''*this section*''.

Amend section 1, page 1, by deleting line 13 and inserting:

''*4. The money distributed under subsection 3 may be expended only*''.

Amend sec. 3, page 2, line 7, by deleting ''numbrer'' and inserting ''number''.

Amend the title of the bill, first line, by deleting: ''quiring a specific levy'' and inserting: ''permitting the adoption by ordinance''.

Amend the summary of the bill, first line, by deleting ''Requires'' and inserting: ''Permits adoption of''.

Assemblyman May moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 567.

Remarks by Assemblyman May.

Motion carried.

Bill ordered transmitted to the Senate.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 11 p.m.

Assembly in recess at 8:28 p.m.

ASSEMBLY IN SESSION

At 11:28 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and Senate Bill No. 136 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Bill No. 460, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDWARD J. KOVACS, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was re-referred Senate Bill No. 415, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 237, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN E. JEFFREY, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Concurrent Resolution No. 51, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 323, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 472, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JANSON F. STEWART, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Concurrent Resolution No. 53, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 19, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 140, 367, 642.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 86, 126, 218, 253, 371, 431, 625, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 62, 64.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 467.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 48, which was returned from enrollment for the purpose of effecting a technical amendment.

Also, I have the honor to inform your honorable body that the Senate appointed Senators Wagner, Foley and Bilbray as a first Committee on Conference concerning Senate Bill No. 19.

Also, I have the honor to inform your honorable body that the Senate appointed Senators Raggio, Glaser and Glover as a first Committee on Conference concerning Senate Joint Resolution No. 11.

Also, I have the honor to inform your honorable body that the Senate on this day adopted, as amended, Senate Concurrent Resolutions Nos. 45, 49.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 557.

The following Senate amendment was read:

Amendment No. 1097.

Amend section 1, page 2, line 16, after "*more,*" by inserting: "*upon the approval of the administrator of the division,*".

Amend section 1, page 2, line 18, by deleting "at least" and inserting: "*but not to exceed $42,000*".

Amend section 1, page 2, by inserting after line 19: "*The administrator of the division has the final authority in determining whether an organization may receive money appropriated pursuant to this subsection. Any organization which receives money pursuant to this subsection shall furnish reports to the board in the manner required by NRS 217.460.*".

Assemblyman Bremner moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 557.

Remarks by Assemblyman Bremner.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 371.

The following Senate amendment was read:

Amendment No. 1213.

Amend the bill as a whole by deleting line 1 on page 1 and sections 15 through 73 and inserting:

"Section 1. Title 32 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 14, inclusive, of this act.

Sec. 2. As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3 to 7, inclusive, of this act have the meanings ascribed to them in those sections.

Sec. 3. "Retail dealer" means any person, other than a wholesale dealer, who:

1. Mixes, makes, compounds or manufactures from a syrup or powder any soft drink for sale at retail; or

2. Sells soft drinks, or syrups and powders used to make soft drinks, for any purpose other than resale in the regular course of business.

Sec. 4. "Sale" means any transfer, exchange, barter, gift, offer for sale, or distribution for consideration of soft drinks or syrups and powders used to make soft drinks.

Sec. 5. 1. "Soft drink" means any nonalcoholic beverage, whether or not carbonated, manufactured with or without the use of any syrup.

2. The term does not include:

(a) Milk in any form.

(b) Any formula used to replace milk in the feeding of infants.

(c) Coffee or tea.

(d) Plain water.

(e) Natural undiluted fruit juice or vegetable juice, which is the liquid resulting from the pressing of natural fruit or vegetables with or without the addition of artificial or natural sugar, or the liquid resulting from the reconstitution of a concentrate of natural fruit or vegetable juice by the restoration of water to dehydrated natural fruit juice or vegetable juice with or without the addition of artificial or natural sugar.

Sec. 6. "Syrup or powder used to make soft drinks" includes the compound mixture or the basic ingredients, whether dry or liquid, domestically and commercially usable in making soft drinks by mixing or compounding it with carbonated or plain water, ice, fruit, milk or any other product suitable to make a soft drink.

Sec. 7. "Wholesale dealer" means any person who sells any soft drink, or syrup or powder used to make soft drinks, to retail dealers for the purpose of resale.

Sec. 8. "Wholesale price" means the established price for which a wholesale dealer sells soft drinks, or syrups and powders used to make soft drinks, to a retail dealer before any discount or other reduction is made.

Sec. 9. 1. There is hereby imposed upon the privilege of importing for sale at retail or selling at wholesale soft drinks, and syrups and powders used to make soft drinks, in this state, a tax of 5 percent of the wholesale price of those commodities.

2. The provisions of subsection 1 do not apply to those commodities which are shipped out of the state for sale and use outside the state.

3. This tax must be paid by the wholesale dealer upon his sales of such commodities to retail dealers. The tax is due on or before the last day of the first month of each calendar quarter for sales during the preceding quarter. The wholesale dealer is entitled to retain 3 percent of the taxes collected to cover the costs of collecting and administering the taxes.

4. Any wholesale dealer who sells any such commodities without paying the tax provided for by this section is guilty of a misdemeanor. Any retail dealer who imports any such commodities from a person not licensed as a wholesale dealer is guilty of a misdemeanor.

Sec. 10. 1. Every person who desires to sell soft drinks, or syrups or powders used to make soft drinks, to any retail dealer in this state must obtain a wholesale dealer's license from the department and shall furnish a bond to the State of Nevada conditioned for the payment of all excise taxes due or to become due from him under the provisions of this chapter. Except as otherwise provided in subsection 3, each bond must be in a principal sum equal to the greatest excise tax paid by the dealer in any quarter of the preceding year, or if such a standard is not available, then in a sum required from a licensee operating under conditions deemed comparable by the department. In no case may a bond be for an amount less than $1,000. When cash or a certificate of deposit or investment certificate is used, the amount required must be rounded off to the next larger integral multiple of $100.

2. The bond or undertaking must be one acceptable to and approved by the department, and a deposit of cash or negotiable bonds of the

United States Government may be accepted in lieu of an undertaking. The department shall deposit all such government bonds and cash deposits with the state treasurer as custodian thereof.

3. Upon application and a satisfactory showing therefor, the department may, from time to time, increase or decrease the amount of the required bond, having consideration for the amount of taxable sales made by the dealer. The department may waive the requirement of a bond pursuant to this section whenever a licensed dealer has maintained a satisfactory record of payment of excise taxes for a period of not less than 5 consecutive years.

Sec. 11. If the tax imposed by this chapter is not paid when due there must be added thereto a penalty of 5 percent, together with interest thereon at the rate of 1 percent per month, or any fraction thereof, from the date due until paid. The department may, for good cause, extend for not more than 15 days after the due date the time for paying the tax if a request for such an extension of time is received by the department on or before the due date. If such extension is granted, interest accrues from the original due date.

Sec. 12. 1. Every wholesale dealer must keep at his place of business complete and accurate records for that place of business, including copies of all invoices of soft drinks, and syrups and powders used to make soft drinks, which he holds, purchases and delivers or sells in this state. All records must be preserved for at least 3 years after the date of purchase or after the date of the last entry made on the record.

2. Every retail dealer shall keep at his place of business complete and accurate records for that place of business, including copies of all itemized invoices or purchases of such commodities purchased and delivered from wholesale dealers. The invoices must show the name and address of the wholesale dealer and the date of the purchase. All records must be preserved for 3 years after the date of the purchase.

Sec. 13. 1. The department shall allow a credit of 30 percent of the tax imposed pursuant to section 9 of this act, less a discount of 3 percent for the services rendered in collecting the tax, for soft drinks, or syrups and powders used to make soft drinks, which may no longer be sold. If such commodities have been purchased and delivered, a manufacturer's credit memorandum is required for proof of returned merchandise.

2. A credit must also be granted for such commodities shipped from the State of Nevada and destined for retail sale and consumption outside the state on which the tax has previously been paid. A duplicate or copy of the invoice is required for proof of the sale outside the state.

3. A wholesale dealer may claim a credit by filing with the department the proof required by this section. The claim must be made on a form prescribed by the department.

Sec. 14. 1. All amounts of tax required to be paid to the state pursuant to sections 2 to 14, inclusive, of this act, must be paid to the department in the form of remittances payable to the department.

2. The department shall deposit these payments with the state treasurer for credit to the account for the tax on soft drinks in the state general fund.

Sec. 15. NRS 387.1235 is hereby amended to read as follows:

387.1235 Local funds available are the *sum of:*

1. The amount computed by multiplying .0025 times the assessed valuation of the school district as certified by the department of taxation for the concurrent school year; and

2. The proceeds of the local school support tax imposed by chapter 374 of NRS. The department of taxation shall furnish an estimate of these proceeds to the superintendent of public instruction on or before July 15 for the fiscal year then begun, and the superintendent shall adjust the final apportionment of the current school year to reflect any difference between the estimate and actual receipts.

Sec. 16. NRS 387.195 is hereby amended to read as follows:

387.195 1. Each board of county commissioners shall levy a tax of [50] *75* cents on each $100 of assessed valuation of taxable property within the county for the support of the public schools within the county school district.

2. In addition to any tax levied in accordance with subsection 1, each board of county commissioners shall levy a tax for the payment of interest and redemption of outstanding bonds of the county school district.

Sec. 17. 1. For the fiscal year commencing July 1, 1983, and ending June 30, 1984, an ad valorem tax of 5 cents on each $100 of assessed valuation of taxable property is hereby levied and directed to be collected for state purposes upon all taxable property in the state, including net proceeds of mines and mining claims, except such property as is by law exempt from taxation.

2. For the fiscal year commencing July 1, 1984, and ending June 30, 1985, an ad valorem tax of 5 cents on each $100 of assessed valuation of taxable property is hereby levied and directed to be collected for state purposes upon all taxable property in the state, including net proceeds of mines and mining claims, except such property as is by law exempt from taxation.

3. The proceeds of the tax levied by subsections 1 and 2 is hereby appropriated for each fiscal year to the consolidated bond interest and redemption fund to the extent necessary to discharge the obligations of the State of Nevada for payment of interest on and principal of its bonds as they are respectively due in that fiscal year. Any remainder of the proceeds must be deposited, unrestricted, in the state general fund.

Sec. 18. Chapter 293, Statutes of Nevada 1983, is hereby amended by adding thereto a new section, designated as section 29.5, following section 29, to read as follows:

Sec. 29.5. 1. The net premiums and net considerations taxable

pursuant to NRS 680B.030 before its amendment by section 26 of chapter 293, Statutes of Nevada 1983, which were received on or after January 1 but before July 1, 1983, must be reported on or before September 30, 1983. The tax thereon, at the rate of 2 percent, must be paid with that report.

2. The first report pursuant to NRS 680B.030 as amended, due March 30, 1984, must show income derived from premiums on or after July 1, 1983, but before January 1, 1984. Any estimated payment based on a quarterly report pursuant to paragraph (b) of subsection 1 of section 19 of chapter 293, Statutes of Nevada 1983, must be calculated by applying to net premiums and next considerations of the preceding calendar year the rate applicable to the current quarter.''.

Amend the title of the bill to read as follows:

''An Act relating to public revenue; imposing a tax on soft drinks; increasing the property tax levied for the support of the public schools and levying a state tax on property; providing a penalty; and providing other matters properly relating thereto.''.

Amend the summary of the bill to read as follows: ''Imposes state tax levy and tax on soft drinks and increases tax levy required for public schools.''.

Assemblyman May moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 371.

Motion carried.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 86 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

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

Assembly in recess at 11:34 p.m.

ASSEMBLY IN SESSION

At 11:55 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 19, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 669.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 45.

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

Motion carried.

Senate Concurrent Resolution No. 49.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Senate Concurrent Resolution No. 51.

Assemblyman Stewart moved the adoption of the resolution.

Resolution adopted unanimously.

Senate Concurrent Resolution No. 53.

Assemblyman Bergevin moved the adoption of the resolution.

Remarks by Assemblyman Bergevin.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 467.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 237.

Bill read second time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 922.

Amend sec. 32, page 7, line 41, by deleting "1.".

Amend sec. 32, page 7, line 42, by deleting "(a)" and inserting "1.".

Amend sec. 32, page 8, line 8, by deleting "paragraph" and inserting "subsection".

Amend sec. 32, page 8, line 10, by deleting "(b)" and inserting "2.".

Amend sec. 32, page 8, line 14, by deleting "paragraph" and inserting "subsection".

Amend sec. 32, page 8, by deleting lines 16 through 24.

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 323.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1284.

Amend sec. 2, page 1, line 13, after "land" and inserting: "which is now receiving water and is".

Amend sec. 2, page 1, line 15, after "water." and inserting: "The City of Reno, the City of Sparks, Washoe County and Sierra Pacific Power Company shall develop programs, which must be approved by the public service commission of Nevada before acquisition, whereby".

Amend sec. 2, page 1, line 16, by deleting "advance" and inserting "provide".

Assemblyman Bergevin moved the adoption of the amendment.

Remarks by Assemblyman Bergevin.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 472.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1285.

Amend the bill as a whole by deleting section 14 and inserting:

"Sec. 14. (Deleted by amendment.)".

Amend the bill as a whole by deleting section 23 and inserting:

"Sec. 23. (Deleted by amendment.)".

Amend sec. 27, page 11, line 18, by deleting the brackets.

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 136.

Bill read third time.

Remarks by Assemblymen Francis, Thompson and Nevin.

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

Assembly in recess at 12:13 a.m.

ASSEMBLY IN SESSION

At 12:14 a.m.

Mr. Speaker presiding.

Quorum present.

Remarks by Assemblymen Jeffrey, Banner, Craddock, Francis, Collins, Thompson, Zimmer, Price, Bourne, Getto and Nevin.

Assemblyman Berkley requested that the following remarks be entered in the Journal:

ASSEMBLYMAN FRANCIS:

Mr. Speaker, with all of us being battered over our heads with this particular bill,

I find that it is a bill that I rise in support of, because I really believe in this bill. I have heard the testimony, I have studied this bill very carefully, and it is a bill that I think is a very good bill. To give you a little historical perspective to start out with, I would like to say that.

The State of Nevada was one of the earliest states to enact workers' compensation law. The original Industrial Insurance Act was adopted in 1913. As an indication of just how controversial these laws have always been, the act has been amended in every regular session of the Legislature since then.

During the last two sessions, the Legislature has made major changes in the Nevada workers' compensation system. In 1979, self-insurance was authorized for those large employers who met certain financial requirements.

In 1981, the Legislature completely restructured the Nevada Industrial Commission. We recognized that the regulatory and insurance functions should be separated to assure that services to injured workers and employers were properly monitored. NIC's insurance functions now rest with the State Industrial Insurance System, commonly referred to as SIIS, while the Department of Industrial Relations now regulates both SIIS and self-insures.

We have gone a long way towards creating a modern efficient system. We have one more major step to take to make Nevada workers' compensation system fully responsive to the needs of the workers and employers of this State—the option of private insurance coverage—the creation of a three-way system.

Three-way is not a new issue. Between 1970 and 1981, four major studies of the Nevada Industrial Commission were conducted. Each touched on the issue of whether to permit private carriers to write workers' compensation insurance in this state. The overall conclusion was that changes had to be made in the system before the State would be ready for competition in the marketplace. Those changes have been made. Now is the time to decide that in one more year employers will have a three-way choice; one more year to complete the advancements that have been accomplished over the last six years.

The Interim Legislative Study Committee created during the 1981 session spent the last year holding hearings and receiving extensive testimony. At the conclusion of its study, the Committee voted eight to one to recommend the three-way system to the 1983 Legislature.

The Senate Labor and Commerce Committee has spent three months revising and refining Senate Bill No. 136. The bill as it comes before us today contains all of the safeguards to protect the interests of the injured worker. This bill has been so finely tuned that even one of its staunchest opponents concedes that as three-way bills go, it is a "reasonable" bill.

The important questions have been answered. We may feel confident that this bill has been carefully scrutinized by Assemblymen and Senators during the interim study and before our committee. This bill will serve the interests of all Nevadans who deal with our workers' compensation system.

This is a bill we can be proud of supporting.

ASSEMBLYMAN THOMPSON:

Thank you, Mr. Speaker pro Tempore. I rise in opposition to this bill. It is interesting to hear some of the things my colleague, Mr. Francis, has pointed out. One of the things that bothers me is the fact that the Senate has had this bill for three, going on four, months. They brought it down to the Assembly and we had it for a whole four hours for a fifty page bill that had been changed six times since February 8. Mr. Francis said this bill is a finely tuned instrument, and it's been carefully scrutinized.

If you will look on page 3 of the bill, Section 11 refers to Subsection 6 of Section 11. Subsection 6 doesn't even exist. It's not in the bill. This is really finely tuned, Mr. Speaker pro Tempore. All this bill is going to do is make somebody a lot of money. The only people that I can find for the bill are independent insurance agents. This bill is a travesty. Mr. Francis is right. Ten months ago we reorganized the workmens' compensation in Nevada. We reorganized NIC to SIIS and I would submit to you that they really haven't had a chance.

I think something interesting that was pointed out in committee was the fact that Nevada pays the eleventh highest benefits to the claimant in the United States, and is number 23 in rates. I would contend to you, Mr. Speaker pro Tempore, and the other members of this body that our system is doing a damned good job. There is no reason

for this legislation. It is purely special interest. There was a study done by the U.S. Department of Labor, a study that shows that private carriers contest 11.9 percent of all workers compensation claims compared with 6.2 percent challenged by state funds. That was the United States Government that did that study.

Again, this bill isn't finely tuned. It hasn't been carefully scrutinized by anybody, and I realize today, unfortunately, some member of this house thought an attempt to put it on the desk was an attempt to kill it. It wasn't that. I think the people who are opposed to this have resolved themselves to the fact that a majority of this house is locked in on this bill. They are going to vote it out. They don't care what it does. But I think the fact that nobody's bothered to read this bill past the third page of a fifty page bill will tell you something about it. I would submit to you that this is a piece of crap and there is no way I can support it.

The reference to the sunset in this bill is a joke. They say this is going to be sunsetted in five years, so what's the big deal. Mr. Speaker pro Tempore, in five years when we dismantle SIIS, this is going to cost from 200 to 300 jobs from the system. The employers who go to private companies and sign contracts, Mr. Speaker pro Tempore, you will never sunset this bill.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker pro Tempore. I stand in opposition to this bill for various reasons. One reason is that, as was pointed out by Assemblyman Thompson, this bill has been in the Senate for four months, it has been here for twelve hours. We put on six amendments, we have a recess, come back and we have a bill sitting in front of us. I cannot, in good faith, vote on a bill that I do not know how it is going to affect the working class of my district. I don't think it would be fair to me to vote "yes" on a bill and not know the effect on the working class.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, I rise in opposition to this bill. There was mention of an extensive study done on this piece of legislation. Let me go into the history of that just a little bit. There have been several studies of the NIC, and there is no question that there have been amendments to the workmen's compensation laws, Chapters 616 and 617 of NRS, probably every session since the law has been in effect. I don't think that's too much different than most other statutes we deal with. But let me talk to you a little bit about this great interim study. This interim study consisted of four meetings, and the only thing the committee agreed on was that, in concept, they agreed that there should be a three-way system.

There is an earlier study chaired by Mr. Dini that was an extensive study that did get into the issues involved in the three-way system. I was also on that study. We spent a lot of time studying the full system. We traveled to Oregon to look at their system, and when we came back even the proponents of the bill decided that they didn't want the bill introduced. We had a very exhausting study this time that probably took about eight hours and a total of four meetings. There is no sense in kidding myself or anybody else that I might change any minds. I think that the die has been cast on this bill. The people that are going to support or oppose it have had their minds made up for some time. Unfortunately, they have had their minds made up on the concept of free enterprise, the American way, apple pie, motherhood, whatever, which most issues have little or nothing to do with this bill.

As far as the rate setting is concerned in the bill, there is not too much wrong with that. But let me tell you what I believe is going to happen because I have seen what's happened all over the country when this kind of legislation is enacted. I don't think there is a major issue in the bill that the private carriers disagreed with, because they are willing to do anything to come under this bill. It has been stated that they are willing to lose money for several years to get the accounts, and I don't think there is any doubt of that. That's been history all over the country. Once they get the foot in the door and become the lobby that I know they will be, with the lobby that they are in California and neighboring states, you have to understand that once this bill is passed there will

be as many as 190 companies writing workmen's compensation. In Nevada, since we are a small state, there may not be that many. That's how many there are in California, and they are a sizable lobby, and any time that you talk about benefits for injured workers or a break for the employers, now you're not fighting the traditional battle that we get into with labor and management, you are fighting the three-way battle in the three-way system with labor and management in the insurance industry. It's a fight that, talking to colleagues in neighboring states that have the three-way system, is almost impossible to do anything with. Assemblyman Thompson mentioned that private carriers deny twice as many claims as state funds. That's a fact. There is no question about that. It's also a fact that when those claims are appealed upwards, when the worker has to appeal a claim through the appeals process, that more than twice as many of those claims are turned around. This tells me that the claims are arbitrarily or capriciously denied in the beginning. There is no question in my mind that when we are through with this thing, not this session, because they took those objections out. Premiums will probably not increase immediately. There is no question that they will increase in the end.

There is no way that anybody can tell me that a private carrier with higher administrative costs than the state fund and the profit motive can write worker's compensation for the same kind of premium that the state system can. That just doesn't make good business sense. There is no way it can happen. In Idaho, the state fund came in and asked for a sizeable premium reduction, and after the private carriers got through, the insurance division cut that reduction in half because there was unfair competition to private carriers. The rates eventually will be set the same way that the Dairy Commission sets the price on a quart of milk to make sure that everybody in the business makes a profit. If that's what you want that's fine with me, I'm not an employer. I am a worker. I also know from the figures that we got from the state fund that there are anywhere from 200 to 350 state employees that will lose their jobs. The amendment that we adopted earlier today also takes them outside the personnel system, and outside any protection of the civil service system. This is a bad bill, it should not be passed, and that's really all I can say.

ASSEMBLYMAN BANNER:

Mr. Speaker, I've been around quite awhile. I've been somewhat involved with workmen's compensation now for over 20 years. Twenty years ago I served as a commissioner. I was the hearings officer and I heard, at that time, about twenty cases a week. Even at that time I thought something was wrong. It was that I, as a commissioner, was making rulings on reopenings, and if the case rose in the course of employment, a week later I was probably sitting as a hearing officer in judgment with a doctor by my side and a set of rules at my side that then made me an attorney.

I have followed the workmen's compensation evolution through the years. I don't think there's anybody who had been around for the last twelve years that could ever say that Jim Banner hasn't gone to this floor and got the blood bath that nobody has ever got doing more for the worker and doing something to improve the system. You should just take this year for an example and see the refinement that went into the hearing process that went on.

Now, in order to do those kind of things, individualized legislators, first of all you get out there on the field and take some of those cases through the end procedure and learn what's going on. Then if you want to fine tune and do something, then you work with the hearing officer and write the law to improve the system. And if you check the bills that have been passed in that area so far, that is what has happened. This particular issue, I think, is highly emotional. I have talked to the Commissioner of Insurance, he has assured me that this is a good bill and that the Commissioner of Insurance can enforce it, and as far as the law is concerned, the Commissioner of Insurance has awesome power. More power than any of the other regulators that we have in any other system. What it boils down to, is that several years ago we did this study that created self-insurance. Twenty-five percent of those people went to self-insurance and what happened is that the NIC did a better job. I was working as a manager and then I had people coming to me and wanted to show me how to do retrospective rating plans that offer a little more sevice. It wasn't so much that, but at the hearing we changed that. We got rid of the commission doing the judgment, and it created a new hearing procedure, a new field procedure, and it created where the guy could go in and start at the top and was able to get an attorney free. That's the way it worked. I don't really feel this thing. I'm not going to speculate and say something that I don't know what's going

to happen. If I was going to speculate, I would say that if the state industrial system is doing a good job, there would be very few policies sold, because I don't think there is any employer who is going to go out and buy a policy, he isn't being forced into the policy in this competitive market. But I do think that this employer should have the free choice. I think that this employer, if he was going to service a car at the garage, and he didn't like the people, he didn't like the service, he didn't like the clerk, he didn't like anything he should have the option of being able to go some place else. This is what it boils down to. It's nothing more than a free choice. Insurance is an accepted way of life in the United States. That is a business, people make money, that's sure, people make money doing everything else in business, and government stays out of those areas because in a lot of instances they can't compete with the private enterprise system. That's what it boils down to. But there is something here that you see. Really, it's a change of turf. That means that something is going to happen here and there is a chance of maybe an insurance changeover here, somebody is going to lose a little of their ground. That's what shows up in this thing. It isn't so much about this injured worker and all those other things. If that was so, you would have found more bills than what I tried to introduce going through this Assembly and you want to try going over and face Keith Ashworth and some of those guys in the Senate trying to push some of these little things through. That's a blood bath, and that's the way it's done.

ASSEMBLYMAN CRADDOCK:

Mr. Speaker, yesterday we received a list, I believe it was, of 17 amendments which were proposed to this bill. Six of them we actually received on the floor. Five of them were supported by this body, if memory serves me correct. One was voted down. There is no way that anyone can rationally state that this body has properly reviewed this bill. I believe in our committee structure, but I cannot support this bill on that type of faith. Our committee structure has worked well over the years, and in essence, this type of railroading causes no little concern for me. I believe it does harm to our legislative process, to say nothing of what it may do to the working class in the State of Nevada. I have rarely disagreed with my colleague, Mr. Banner, but this is one time that I feel far more than what may be happening to the working class. I fear for the life of our system. Thank you.

ASSEMBLYMAN FRANCIS:

Thank you, Mr. Speaker. I just want to address some of the things that were said here. First, to Mr. Craddock, the reason we had 17 amendments today is because certain members of the committee were trying to put all sorts of things into this bill, including tips. I was expecting the tax package to be amended into this and the helmet law and everything else. It was ridiculous, and I was quite embarrassed. I want to address something to Mr. Thompson and Mr. Jeffrey. I don't know where they pull these numbers out of the air, but lets talk about claims for a minute. In Senate testimony, it was indicated by the Director of Industrial Relations that he had determined that SIIS denies 17 percent of claims, while opponents quoted a federal government study indicating that nationwide, insurance companies only denying 11 percent.

As far as rates go, the average of which shows Nevada has low rates are averages without allowing for a few employees in one class and very many in another. An independent analysis done by Best Publishing Company shows for average cost per employee, actual dollars paid by Nevada employers shows Nevada is the fifth highest in the nation. I don't know about you, but I think we need some free enterprise and some competition in this state. I think it's needed, I think it's important, and I think it will bring the rates down.

ASSEMBLYMAN JEFFREY:

First of all, Mr. Speaker, I would like to say that this is not a labor-management issue. It's a people issue. And it is an employers' issue to the point that it is going to end up costing them too. This change will not help the system. It will dismantle it. By the time we get through tinkering with this system I think we're all going to be sorry. Unfortunately, once the change is made it is going to be too late to go back.

I agree with Mr. Thompson when he said that the sunset on this bill means nothing. We have never sunsetted a piece of legislation that we have put a sunset on yet. We haven't been able to sunset the Alfalfa Seed Advisory Board, let alone the Private Carriers Workers Compensation System. You can forget that one. The rates will be set by the Insurance Division, but if you look at the bill you will notice that there is an advisory group that will advise the commissioner on the rates. SIIS will not set their

own rates. If they were, this wouldn't be that bad a bill. Because I guarantee you that if they set the rates they would have no competition because nobody could compete with them.

The same kind of advisory group is going to advise the insurance division that absolutely sets the rates in many states. That is part of the study that Mr. Dini chaired in the previous interim study that proved that under the bill they proposed at that time the rates would be increased 27 percent. They knew they couldn't get that one on so they came back with this one for starters, and I'll guarantee you that's what it is. It's a start. SIIS said the other night in the one hearing we held on this bill that they are not afraid of competition, and I don't think they have any need to be. They're going to lose a sizable amount of business in the first year, I don't think there is any question of that. That's the history any time a change is made like this. But there is one thing that is going to happen.

After this bill passes, and I am sure it will, they are going to be in a position that now you will have something to compare them with. You will have a system set up so that they do have some comparison. They're not going to be a monopoly, they're not going to be the kid to be kicked around. They are going to have inexperience on handling claims and servicing employers and, unfortunately, not setting rates. That will show that we have got a good system. I would like to point out that it did come out in the hearing, and Mr. Francis is right, the state system does deny more claims than is shown in the sample taken, and I would like to clarify that. DIR polled 500 claims from self-insureds and 500 claims from the state system. There was no real average there when you compare 500 claims to what may happen in any period of time. I don't know how many claims the system has in a years time, but I am sure that 500 is a drop in the bucket. And we did run higher than the national average. But the absolute fact is, nationwide private carriers deny twice as many claims as state funds do.

I would also like to point out that it came out in testimony, and nobody refutes this, the State of Nevada is eleventh in the nation in benefits. They are 23rd in premium. Now that tells me that they have got to be doing a good job.

ASSEMBLYMAN COLLINS:

Thank you, Mr. Speaker, and I'm going to keep it short. Mr. Francis and I sat on that Labor and Management Committee. I didn't even get a chance to vote today on the bill. There were some amendments that weren't even heard. We spent two hours, we took a break the other night, we went back and we spent two more hours, and then we took another break. We came in this morning, we heard the bill for an hour or so, we took another break, we came back after lunch, I didn't even get back from my break to vote, and now we have this bill. I don't have any problem with the bill, Mr. Speaker, because I represent the people that sent me up here. A lot of us committed to this bill before we had an opportunity to read it, before we had an opportunity to hear testimony on the bill. We heard people from Oregon who were businessmen. We heard contractors who say that they were for the private enterprise system, but they did extensive research on this bill and they found out that it wasn't what they wanted.

Now, I know a lot of us are locked in on the bill, but if you are going to vote for those who sent you up here, I would reconsider and consider the people who sent you to represent them. I will say it again, Mr. Speaker, I don't have any problem with this bill because I'm going to vote the way the people want me to vote, and that's against this piece of legislation.

ASSEMBLYMAN CRADDOCK:

Mr. Speaker, I very rarely make a comment the second time on anything, but I have been questioned relating to some things that still bother me a great deal in this matter. I really don't think that our process allows us to wander so far from the subject matter as to allow the drafting of amendments pertaining to the helmet laws in the consideration of SIIS. This is my sixth term here, and I think this is the biggest list of amendments that I have ever seen relating to one bill. The fact that less than half of them ever made the floor still bothers me a great deal. And if we are, in fact, in a position where we can elaborate to the point that one of our colleagues has indicated here today, our system is in worse shape than I think it is.

If we intend to do the thing that is right for the people of the State of Nevada over the long term, we had best forget about some of the short-term considerations and do what we think to be right over the long haul, because sooner of later we will wake up to what is happening around here and we will recognize that we, too, live here and

we can't expect other people to come in and pay the bill all the time. If we discourage the working class in the State of Nevada to do their job, we are in more trouble than we can imagine at this point in time.

ASSEMBLYMAN THOMPSON:

Thank you, Mr. Speaker, I hadn't planned to speak again either, but something my freshman colleague from Las Vegas said I had to answer. Mr. Francis had a problem in committee with the amendments that were proposed to the bill. I would like to point out that all the amendments pertained to workmen's compensation. Mr. Francis, I came up here last session as a freshman legislator. I introduced a bill that had about four lines in it. When it came out of this house, it did exactly the opposite thing and it was eleven pages long, so I think you are really naive if you think that is not the process. Unfortunately, that's the process, and that's the way it works. So maybe you will understand that before we leave. One other thing, Mr. Speaker, SIIS doesn't pay profits, brokerage fees and commissions like the private insurance companies are going to do. I think that's just common sense to tell you that they are not going to have the money to pay to the claimant, and somebody is going to pay those profits and brokerage fees and commissions. I submit that it will be the employer. I think we have heard all this. It's late, and I think we ought to vote on this "finely tuned instrument" that speaks to sections of the bill that don't even exist on the seventh reprint. It's interesting to note I went back and looked. It was correct in the first reprint. This thing has been reprinted seven times and nobody bothered to read it past the third page. I pointed this out in committee and there was no amendment drafted for that. Everybody was in such a zeal to get it out to the floor to get this thing passed. By the way, one of the amendments we voted for on the floor today, Mr. Francis, wasn't even voted on in committee. It was deferred and it was brought out here. That's about all I have to say, Mr. Speaker.

ASSEMBLYMAN ZIMMER:

I just want to say that I resent the implication that many of us have made up our minds before we got here. It's not true. I'm one of these people that have sat and listened on both sides and have no position on this bill. But I am firmly convinced, after listening, that it is not a workers' bill or a management bill. It will not, it will absolutely not hurt the benefits of the worker. If we believed this we wouldn't be here. The rates will probably go up. I can see that. But the employer pays the rates. Does not the employer deserve his choice of where he pays them?

ASSEMBLYMAN PRICE:

It's okay, Mr. Speaker, I will pass. There are winners and losers, and the losers tonight are the workmen, and the next biggest loser will be the employers when they see the rates start going up.

ASSEMBLYMAN BOURNE:

Thank you, Mr. Speaker. I appreciate the opportunity to talk tonight regarding this bill. I am an insurance agent. I have been informed by the Insurance Division that I probably would not be able to sell three-way because it will be a bill that will be sold by those who hold fire and casualty licenses. I have some difficulties with that because I think with my licenses, if we look at the workers' compensation situation, it is comprised of two entities. One is health coverage and the other one is disability, so maybe we will discuss that down the road. But what I would like to do is mention two things this evening, if I can. Number one, I have had big concern in this legislative session, I don't think any of you doubt that, regarding health cost containment. When you passed out Assembly Bill No. 254, what you did in reality, because it will be the same under the three-way if you should decide to pass three-way this evening, it would take the current system that pays 85 percent of the state's average on those claims that are submitted on a statewide basis. Assembly Bill No. 254 will then mandate that they pay 100 percent of bill rendered. Basically, what that means is that you have mandated a 15 percent increase in cost to SIIS. You will have done that. I don't know who voted "no" on that besides me. I think it was me. Of course, I've been the only one who voted "no" on several issues here, so it's nothing new. Second item. I have heard several comments made regarding the ability of grouping the three-way insurance into the rest of your program. Big discount. And I will let you listen to this and, hopefully, you will hear what I am saying. If you believe that, you will also believe the person

who has the Volkswagon that buys the Roll Royce gets a second car discount. Thank you.

ASSEMBLYMAN FRANCIS:

Thank you, Mr. Speaker, for letting me have the opportunity to stand up for the third time. I just wanted to say two things. First, I would like to clarify something. All the amendments that were introduced today were voted out of committee. If Mr. Thompson had bothered to be there when we had our meeting this afternoon he might have seen that. As far as the Subsection 6, Mr. Thompson, that is the only thing in this entire bill that you have been able to find. The reason we did not bring the amendment forward was we had checked with legislative counsel and he said that things like this will be taken care of. It is just a very minor technical thing, and to try to discredit this entire bill because of that I think is just another ploy to get this bill and ruin a finely tuned and very good bill. If you believe in the free enterprise system you will vote for this bill because I think that it will bring the rates down because that is what this nation was built on. That's all I have to say.

ASSEMBLYMAN THOMPSON:

Mr. Speaker, I would have loved to be there today to vote on this bill. However, myself, Mr. Jeffrey and Mr. Collins weren't afforded that opportunity, and it was passed out without us. But I think if you go back and check out the records, Mr. Francis, you will see that Amendment No. 1134 was deferred because that was an amendment that I proposed and it was never voted on. It doesn't really matter because it was adopted on the floor. Mr. Francis, I don't think that it's the legislative counsel's job to correct bills. That is what we were elected for.

ASSEMBLYMAN GETTO:

Mr. Speaker, I will be very brief since I neither sat on the committee nor had a lot of opportunity to view the bill. But that is nothing new. You know, we have passed out some measures here that we had no time to read that affected hundreds of millions of dollars, so that is nothing new. And there is nothing new about amendments being offered from the floor instead of committee. That's been done almost every day. So that's nothing new. I just want to speak as an employer who has no conflict of interest because I am not locked into NIC. I feel good about that and the fact that I can shop and put together a package and I can go to a broker or wherever I want. I think that is the American way and it's the free enterprise way. SIIS is not the free enterprise way, and an employer, whether he is big or little does not have that opportunity to shop. He does not have that opportunity to compare rates, and I believe that he should have this opportunity and I do support this bill very strongly.

ASSEMBLYMAN BANNER:

For the second, or whatever, time. I feel a little bad to end the session somewhat on a sad note. This isn't a very pleasant experience for me, and to hear some of the comments made of the impropriety of the handling of that committee. The Labor and Management Committee has never been one of the easy ones. You always had the polarization in there. I've always taken pride in at least thinking that I was fair. I never had too much problem with the management people, and although they knew my viewpoints on a lot of things, I at least tried to get along with the committee. I made the assignments out to the various individuals in there, particularly the young ones. I tried to do those kind of things. I give them the assignments. I did all of those things. On this issue, it was hung up over there for all those months, which wasn't our fault. We got it. We got in on a Sunday night. I wanted to bang it out and get out of this place. I'm sick and tired, I'm sick, and other things. But I couldn't get it done on a Monday morning. I wanted to do it on Tuesday morning. There was objection to that. We did it on the Tuesday afternoon and we ran a marathon session through that. Most of the people had read the bill. I know the concepts pretty well, as well as I do most of the stuff that is laying on the desk, including the tax package and all this other stuff that I am supposed to be an expert on. But the problem with that is about the meetings. I announced that meeting on this floor. We didn't hold one of those little things around the hall we did a little better. We had a secretary taking it down because we knew it was a hot issue. I announced it first at 1:30, I then gave it until 1:45. I got up there at 1:45 and there were only those who were ready to vote. We waited five minutes. I don't wait for anybody for more than five minutes. I had announced it, and everything else, so it was their fault and that's their problem. But then it came to what we should

do about the amendments. During the morning session we got in there at 9:30 and it was 10:45 when we got out, and we had gone through several amendments. Let me give you an example of what I was faced with, and it wasn't easy.

One of the amendments had to do with NRS 616.0270. This raised the average wage computation for the 1½ percent of the average wage, 200 percent of the state average wage, and that was a multi-million dollar little jewel just stuck right in there, like $20, $30, $50 million. I didn't have the calculator. That didn't pertain to the three-way plan. So it became obvious to the members of that committee that they were going to be loaded down with amendments. Now, my position on that committee was to not impede the process. I really didn't care what happended. I wanted to get rid of it. I was sick and tired, so what I wanted to do was get it out of there and let you folks decide what to do out here. I will give you my recommendation through 20 years of experience that I can't see the harm in it. I don't know if there is any good, but there is no harm. And that's why I wanted to get it out in this place. So that amendment was passed out with no recommendation for that reason.

ASSEMBLYMAN BOURNE:

There was a question brought up regarding conflict of interest. I think it's been well documented by the Council Bureau that insurance agents can't vote on this. In fact, I think its even been documented a little better that if an insurance agent wanted to vote "no" on it, and that is what I intend to do, I don't think I would have any conflict if I voted yes and I could sell and I could make money, but if I vote "no" on it and I can't sell it, I don't make money, so I don't have any problem.

ASSEMBLYMAN NEVIN:

Thank you, Mr. Speaker. Now we've really got a problem. I heard the chairman of the committee sit here and say he didn't have time to do this and he would put it on the floor and let everybody discuss it. Mr. Francis, without looking tell me, Section 57. Thank you.

ASSEMBLYMAN COLLINS:

Thank you, Mr. Speaker. To Mr. Nevin and to Mr. Francis. Mr. Francis had problems when we told him that the companies have refunded $110 million, and he wanted to know why in the world if they had all this money where it came from. They were not aware that the money came from investment and interest. So if you can have problems finding out where the SIIS refunded $110 million, you can see the problem, Mr. Francis, That I have with this.

Roll call on Senate Bill No. 136:

YEAS—25.

NAYS—Berkley, Beyer, Bourne, Collins, Craddock, Jeffrey, May, Nevin, Price, Sader, Stewart, Stone, Swain, Thompson, Mr. Speaker—15.

Not voting—Coffin, Fay—2.

Senate Bill No. 136 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 415.

Bill read third time.

The following amendment was proposed by the Committee on Commerce:

Amendment No. 1291.

Amend section 1, page 1, line 3, before "*The* and inserting "*1.*".

Amend section 1, page 1, line 8, by deleting "*1.*" and inserting: "*(a)*".

Amend section 1, page 1, line 9, by deleting "*or*".

Amend section 1, page 1, line 10, by deleting "*2.*" and inserting: "*(b)*".

Amend section 1, page 1, line 12, by deleting "*resistance.*" and inserting "*resistance; or*".

Amend section 1, page 1, after line 12 by inserting:

(c) The department determines that the present or future availability of other sources of energy is so limited as to justify the use of such a system.

2. The department's standards must not prohibit the use of incandescent or fluorescent lighting.".

Assemblyman Jeffrey moved the adoption of the amendment.

Remarks by Assemblyman Jeffrey.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 460.

Bill read third time.

Remarks by Assemblyman Kovacs.

Roll call on Senate Bill No. 460:

YEAS—35.

NAYS—Bremner, Joerg, Malone, Price, Redelsperger, Thomas, Thompson—7.

Senate Bill No. 460 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 444.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 444:

YEAS—42.

NAYS—None.

Senate Bill No. 444 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Concurrent Resolution No. 49, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

EDWARD J. KOVACS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that Senate Bill No. 452 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 452.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 452:

YEAS—40.
NAYS—None.
Absent—Schofield.
Not voting—Sader.

Senate Bill No. 452 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and Assembly Bill No. 667 and Senate Bill No. 405 be declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 667.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Assembly Bill No. 667:

YEAS—41.
NAYS—None.
Absent—Schofield.

Assembly Bill No. 667 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Senate Bill No. 405 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Senate Concurrent Resolution No. 49.

Assemblyman Bourne moved the adoption of the resolution.

Remarks by Assemblyman Bourne.

Resolution adopted unanimously.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 531, consisting of the undersigned members, has met, and reports that:

No decision was reached, and recommends the appointment of a second Committee on Conference, to consist of three members, for the further consideration of the bill.

ROBERT E. (BOB) ROBINSON
THOMAS J. HICKEY
SUE WAGNER
Senate Committee on Conference

CHARLES G. BOURNE
GENE COLLINS
BOB THOMAS
Assembly Committee on Conference

Assemblyman Bourne moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 531.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Schofield, May and Kerns as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 531.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 218.

The following Senate amendment was read:

Amendment No. 1200.

Amend sec. 8, page 2, by deleting lines 21 through 23 and inserting: "*responsible for his support. The hospital may request the board of county commis-*".

Amend sec. 10, page 2, by deleting line 43 and inserting: "*is an indigent person and it has complied with the procedures for collection established by the board of trustees of the fund, it may apply to the board*".

Amend sec. 10, page 3, by deleting lines 6 through 9 and inserting: "*first admission, from one hospital to another, both hospitals are entitled to reimbursement in full for their unpaid charges.*".

Amend sec. 12, page 3, lines 27 and 28, by deleting: "*by the fund of*" and inserting: "*from the fund for*".

Amend sec. 17, page 4, line 26, by deleting "*The*" and inserting: "*For the fiscal year beginning on July 1, 1983, the*".

Amend sec. 17, page 4, line 28, by deleting "*The*".

Amend sec. 17, page 4, by deleting lines 29 and 30 and inserting:

"*2. For the fiscal years beginning on and after July 1, 1984, the board of county commissioners of each county shall levy an ad valorem tax at a rate which must be calculated by:*

(a) First multiplying the tax rate established in subsection 1 by the assessed valuation of all taxable property in this state, including new real property, possessory interests and mobile homes, during the next fiscal year.

(b) Then subtracting the amount of unencumbered money in the fund on May 1 of the current fiscal year.

(c) Then setting the rate so that the revenue from the tax does not exceed the amount resulting from the calculations made in paragraphs (a) and (b).".

Amend sec. 17, page 4, line 31, by deleting "*2.*" and inserting "*3.*".

Amend sec. 17, page 4, by inserting between lines 34 and 35:

"*4. The proceeds of this tax must be remitted monthly to the state treasurer for credit to the fund for hospital care to indigent persons.*".

Amend sec. 18, page 5, line 2, by deleting "burial." and inserting: "burial [.] *or cremation.*"

Amend sec. 18, page 5, by deleting line 4 and inserting: "for *the*

person's board, nursing, medical aid , [or] burial [expenses] *or cremation* as the board deems''.

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 218.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 86.

The following Senate amendment was read:

Amendment No. 1222.

Amend section 1, page 1, line 16, by deleting ''*Three*'' and inserting: ''*Two*''.

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 86.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 138, 248, 275, 304, 383, 391, 483, 533, 544, 598, 618, 633, 635, 660; Senate Bills Nos. 91, 112, 184, 277, 278, 291, 306, 341, 358, 363, 441, 449, 451, 453; Assembly Concurrent Resolution No. 52.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. David Nicholas.

On request of Assemblyman Price, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Shirley Williams, Lerline Ewing, Carol Ann Ewing and Mr. Charles K. Lynch.

On request of Assemblyman Joerg, the privilege of the floor of the Assembly Chamber for this day was extended to Messrs. Orvin M. Roome, Bill Casalegno and students from Johnson High School, Sacramento, California: Ms. Gena Kies, Cheri Lloyd, Sandra Crocket, Linda Weldon, Charis Gundlach, Messrs. Fred Weldon, Bob Erickson, and second grade students from Fritsch Elementary School, Carson City, Nevada: Meesha Beckett, Tracy Blume, Candy Crocket, Deborah Dayton, Amity Gardner, Linnea Gundlach, Kristina Gutzman, Tricia Lloyd, Marjorie Manke, Wendy Mills, Pamela Pollard, Shelby Scarlett, Amelie Welden, Marcus Coffey, Brent Cassey, Jason Doescher, Micky Doyle, Jeffrey Erickson, Matthew Hanna, Ryan Kinder, Andrew Parnell, Sean Ray, Brian Sass, Justin Sayder, Nathan Tobey, Bradford Walton and Bobby Swain.

Assemblyman Jeffrey moved that the Assembly adjourn until Friday, May 20, 1983, at 9:30 a.m.

Motion carried.

Assembly adjourned at 1:01 a.m., May 20, 1983.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-FOURTH DAY

CARSON CITY (Friday), May 20, 1983

Assembly called to order at 10:12 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all,

Grant these legislators the energy and the wisdom they will need to complete the work of this legislative day, and perhaps even of this legislative session. Give them clarity of mind, of expression, and of decision, that they may continue to serve the people of our state well and faithfully even in these final hours of the session.

And Lord, we pray now for David Kirby, who had a death of a close friend just before this session began. Be with him now in these hours.

Lord, in your mercy, hear this our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 456, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 467, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 19, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 454, which was returned from enrollment for the purpose of effecting a technical amendment.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 454 was passed be rescinded.

Motion carried.

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 48 was passed be rescinded.

Motion carried.

By the Committee on Legislative Functions:

Assembly Resolution No. 16—Designating certain assemblymen as regular and alternate members of the legislative commission.

Resolved by the Assembly of the State of Nevada, That pursuant to the provisions of NRS 218.660, the following assemblymen are designated regular and alternate members of the legislative commission to serve until their successors are designated: Messrs. Louis W. Bergevin, Joseph E. Dini, Jr., John E. Jeffrey, Michael O. Malone, David D. Nicholas and John M. Vergiels are designated as the regular assembly members; Mr. Byron Bilyeu and Mr. Virgil M. Getto are designated as the first and second alternate members, respectively, for Mr. Louis W. Bergevin; Mr. Robert M. Sader and Mr. Leonard V. Nevin are designated as the first and second alternate members, respectively, for Mr. Joseph E. Dini, Jr.; Mr. Danny L. Thompson and Mr. Robert G. Craddock are designated as the first and second alternate members, respectively, for Mr. John E. Jeffrey; Mrs. Jane F. Ham and Mrs. Barbara A. Zimmer are designated as the first and second alternate members, respectively, for Mr. Michael O. Malone; Mr. Bob L. Kerns and Mr. David E. Humke are designated as the first and second alternate members, respectively, for Mr. David D. Nicholas; and Mr. James W. Schofield and Mr. Janson F. Stewart are designated as the first and second alternate members, respectively, for Mr. John M. Vergiels.

Assemblyman Jeffrey moved the adoption of the resolution.

Resolution adopted unanimously.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 448, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 10 C, which is attached to and hereby made a part of this report.

ALAN H. GLOVER	COURTENAY C. SWAIN
RANDOLPH H. TOWNSEND	JOHN W. MARVEL
WILLIAM J. RAGGIO	CHARLES W. JOERG
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 10 C.

Amend section 1, page 2, line 25, by deleting "*shall*" and inserting: "*:*

(a) Shall".

Amend section 1, page 2, line 28, by deleting: ". [, which shall be] *the map is*" and inserting: "[which shall be] *;*

(b) Shall purchase and maintain the necessary equipment used in establishing, maintaining and duplicating the map; and

(c) May use any remaining money for any purpose determined by the county recorder.

The map is".

Assemblyman Swain moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 448.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 456.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1298.

Amend section 1, page 1, line 2, after "inclusive," by inserting "and section 10.5".

Amend the bill as a whole by adding a new section, designated section 10.5, following section 10, to read as follows:

"Sec. 10.5. *At any time after January 1, 1984, an employee who is paying the employee's contribution on his own behalf may elect to have his portion of the contribution paid by his employer in the manner provided in NRS 286.421. An employee who makes such an election may not thereafter convert to paying his own contributions.*".

Amend the bill as a whole by deleting sections 11 through 13 and inserting:

"Secs. 11 through 13. (Deleted by amendment.)".

Amend sec. 14, page 9, line 2, by deleting "*Every*" and inserting: "*Beginning July 1, 1985, a*".

Amend sec. 14, page 9, by deleting lines 3 through 5 and inserting: "ipating public employer [may] *shall* pay on behalf of [its employees the employer] *an employee the* contributions required by subsection 1 of NRS 286.410 [. The state board of examiners shall elect on behalf of all state".

Amend sec. 14, page 9, line 12, by deleting "*6.*" and inserting "*if:*

(a) The employee is hired after July 1, 1985; or

(b) The employee's benefits have vested pursuant to NRS 286.6793.

The employer shall begin paying an employee's portion of contribution on the date his benefits vest, if they vest after July 1, 1985.".

Amend sec. 14, page 9, by deleting lines 34 and 35 and inserting:

"6. If an employer [elects to pay] *is paying* the basic contribution on behalf of [its employees,] *an employee* the total contribution rate is, in lieu of the".

Amend sec. 14, page 9, by deleting line 37 and inserting "NRS 286.450:".

Amend sec. 14, page 9, line 41, by deleting "[which has" and inserting "which [has".

Amend sec. 14, page 9, by deleting line 42 and inserting: "elected to pay] *is paying* the basic contribution on behalf of its employees may,".

Amend sec. 14, page 10, line 6, by deleting "[8. An" and inserting "8. [An.

Amend sec. 14, page 10, line 10, after "9." by inserting a closed bracket.

Amend sec. 14, page 10, line 13, by deleting the bracket.

Amend the bill as a whole by deleting sections 15 and 16 and inserting:

"Secs. 15 and 16. (Deleted by amendments.)".

Amend the bill as a whole by deleting sections 18 through 22 and inserting:

"Secs. 18 through 22. (Deleted by amendment.)".

Amend the bill as a whole by deleting section 25 and inserting:

"Sec. 25. (Deleted by amendment.)".

Amend sec. 26, page 14, by deleting line 9 and inserting:

"Sec. 26. Section 17 of this act shall become effec-".

Amend sec. 26, page 14, by deleting lines 11 and 12.

Amend the title of the bill, third line, by deleting "their employees;" and inserting: "certain employees; authorizing certain employees to require their employers to pay their contributions;".

Amend the summary of the bill, first line, after "of" by inserting "certain".

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 419.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 419:

YEAS—41.

NAYS—None.

Absent—Price.

Assembly Bill No. 419 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 455.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 455:

YEAS—41.

NAYS—None.

Absent—Price.

Assembly Bill No. 455 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 331.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Senate Bill No. 331:

YEAS—42.

NAYS—None.

Senate Bill No. 331 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 253.

The following Senate amendments were read:

Amendment No. 779.

Amend sec. 3, page 2, line 11, by deleting "*agency*" and inserting "*manager*".

Amend sec. 7, page 4, line 6, by deleting "*1*" and inserting "*2*".

Amendment No. 641.

Amend sec. 4, page 2, by deleting lines 38 through 40 and inserting:

"(b) [No increase or reduction of premium rate or additional charge or rebate of premium contributions may become effective for 30 days after adoption by the manager. Upon the adop-".

Amend sec. 4, page 3, by deleting lines 15 through 17 and inserting: "expected.] *The manager shall file revised premium rates and classifications of employment with the commissioner and give written public notice to the employers affected by the changes at least 30 days before the effective date of the changes. The commissioner shall review the revised rates and classifications and advise the manager of the changes which are not consistent with NRS 686B.050 and 686B.060.*".

Amendment No. 993.

Amend sec. 2, page 1, line 3, by deleting "*may,*" and inserting "*shall,*".

Amend sec. 2, page 1, line 5, by deleting "*it determines*".

Amend sec. 2, page 1, by deleting line 6 and inserting: "*the balance in the state insurance fund exceeds by $1,000,000 or more the amount necess-*".

Amend sec. 2, page 2, line 3, by deleting "*A*" and inserting: "*When the balance in the state insurance fund exceeds by $1,000,000 or more the amount necessary for obligations, expenses, reserves and contingencies, a*".

Amend sec. 2, page 1, line 8, after the period by inserting: "*The manager may declare and distribute a dividend to an employer only once in any fiscal year.*".

Amendment No. 1155.

Amend the bill as a whole, by deleting section 8 and renumbering section 9 as section 8.

Amend the bill as a whole, by deleting section 10 and renumbering section 11 as section 9.

Assemblyman Banner moved that the Assembly concur in the Senate amendments to Assembly Bill No. 253.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 625.

The following Senate amendment was read:

Amendment No. 1209.

Amend sec. 6, page 2, line 32, after "*on which*" by inserting "*only*".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 625.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 126.

The following Senate amendments were read:

Amendment No. 190.

Amend section 1, page 1, line 7, by deleting "[village,]".

Amendment No. 503.

Amend sec. 2, page 2, by deleting lines 11 and 12 and inserting: "the provisions set forth as sections 3 and 4 of this act.

Sec. 3. *The obligation of a contractor or subcontractor to pay wages in*".

Amend the bill as a whole by renumbering section 3 as section 5 and adding a new section designated section 4, following section 2, to read as follows:

"Sec. 4. *The labor commissioner may adopt such regulations as are necessary to enable him to carry out his duties pursuant to the provisions of this chapter.*".

Amend the title of the bill, third line, after "works;" by inserting: "authorizing the labor commissioner to adopt regulations to carry out his duties;".

Amend the summary of the bill to read as follows: "Makes various changes in provisions regarding public works.".

Assemblyman Banner moved that the Assembly concur in the Senate amendments to Assembly Bill No. 126.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 431.

The following Senate amendment was read:

Amendment No. 1195.

Amend section 1, page 1, by deleting lines 11 through 16.

Amend section 1, page 1, line 17, by deleting "*3.*" and inserting "*2.*".

Amend section 1, page 2, line 2, after "*life*" by inserting "*or health*".

Amend section 1, page 2, by deleting lines 3 through 5.

Amend the title of the bill, by deleting third and fourth lines and inserting: "ance; and providing other matters properly relating thereto.".

Assemblyman Banner moved that the Assembly concur in the Senate amendment to Assembly Bill No. 431.

Motion carried.

Bill ordered enrolled.

GENERAL FILE AND THIRD READING

Senate Bill No. 467.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 467:

YEAS—42.

NAYS—None.

Senate Bill No. 467 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 454.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 454:

YEAS—42.

NAYS—None.

Senate Bill No. 454 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 48.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 48:

YEAS—42.

NAYS—None.

Senate Bill No. 48 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 93.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Senate Bill No. 93:

YEAS—42.

NAYS—None.

Senate Bill No. 93 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 20, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 436, which was returned from enrollment for the purpose of effecting a technical amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 401.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Redelsperger, Price, Banner, Ham, Beyer, Thomas, Coffin, Zimmer, Joerg, DuBois, Chaney, Sader, Fay, Malone, Marvel, Kovacs, Swain, Francis, Sedway, Craddock, Bilyeu, Kerns, Berkley, Thompson, Jeffrey, Stewart, Nevin, Bremner, Bourne, Collins, Brady, Perry, Bergevin, Stone, Bogaert, Dini, Getto, Humke, Nicholas, Vergiels, Schofield and May:

Assembly Concurrent Resolution No. 65—Commending Patricia A. Cox for her activities to eliminate poverty in rural Nevada.

WHEREAS, Patricia A. Cox has worked diligently to improve the quality of life for rural Nevadans; and

WHEREAS, The activities of the Consolidated Agencies of Human Services were largely established by her efforts; and

WHEREAS, She is firmly committed to the goal of these agencies which is to eliminate the causes of poverty for rural Nevadans; and

WHEREAS, She has piloted such programs as those for assistance to persons in Mineral County to purchase energy or weatherize their homes; and

WHEREAS, She has helped through her determined efforts to found the first emergency bank for food in rural Nevada; and

WHEREAS, Through her countless hours of work she has helped to establish programs to assist the elderly and young persons; and

WHEREAS, She is the director of all the programs of the Consolidated Agencies of Human Services and she serves on the Care and Share Project Council; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the members of this legislature, with heartfelt thanks and sincere gratitude, recognize and commend the achievements and continuing dedication of Patricia A. Cox for her assistance to the Consolidated Agencies of Human Services and to the residents of Mineral County; and be it further

Resolved, That a copy of this resolution be transmitted forthwith by the legislative counsel to Patricia A. Cox.

Assemblyman Redelsperger moved the adoption of the resolution.

Remarks by Assemblyman Redelsperger.

Resolution adopted unanimously.

Assemblyman Thompson moved that the Assembly recess subject to the call of the Chair.

Assembly in recess at 10:49 a.m.

ASSEMBLY IN SESSION

At 11:07 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Senate Bill No. 223, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Concurrent Resolution No. 45, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Bill No. 462, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 401.

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

Motion carried.

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

Assembly in recess at 11:08 a.m.

ASSEMBLY IN SESSION

At 11:14 a.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 401, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JANSON F. STEWART, *Chairman*

GENERAL FILE AND THIRD READING

Senate Bill No. 223.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1254.

Amend section 1, page 1, by inserting between lines 5 and 6:

"2. *The interest and income earned on the money in the Nevada beef promotion fund, after deducting any applicable charges, must be credited to the fund.*".

Amend section 1, page 1, line 6, by deleting "2." and inserting "*3.*".

Amend sec. 2, page 2, line 5, by deleting "department of taxation" and inserting: "*state* department of [taxation,] *agriculture,*".

Amend sec. 4, page 2, line 11, before "Section" by inserting "1.".

Amend sec. 4, page 2, by deleting lines 14 through 24 and inserting:

"561.407 1. The Nevada beef promotion fund is hereby created as [a special revenue] *an agency* fund [.] *in the state treasury.* The proceeds of the special tax on cattle levied pursuant to NRS 575.070 must be deposited in this fund and all refunds made pursuant to NRS 575.070 must be paid from the fund.

2. The interest and income earned on the money in the Nevada beef promotion fund, after deducting any applicable charges, must be credited to the fund.

3. After all refunds are made, the state controller shall draw warrants to distribute the amount remaining in the fund as follows:

(a) Eighty percent to the Beef Industry Council, transmitted through the executive director; and

(b) Twenty percent to the account of the Nevada beef council in the Nevada beef promotion fund.".

Amend sec. 4, page 2, by inserting after line 24:

"2. Section 45 of chapter 169, Statutes of Nevada 1983, is hereby repealed.".

Amend the bill as a whole by renumbering section 5 as section 7 and adding new sections designated sections 5 and 6, following section 4, to read as follows:

"Sec. 5. Section 8 of Senate Bill No. 112 of this session is hereby amended to read as follows:

Sec. 8. NRS 356.087 is hereby amended to read as follows:

356.087 1. Except as provided in subsections 2 and 3, all interest paid on money belonging to this state must be deposited in the state general fund.

2. At the end of each quarter of each fiscal year, the state treasurer shall:

(a) Compute the proportion of total deposits and investments of state money, excluding investments owned outright for the account of the state permanent school fund, pursuant to chapter 355 of NRS and this chapter, which were attributable during the quarter to:

(1) The state highway fund, the motor vehicle fund and the taxicab authority fund created by NRS 408.235, 482.180 and 706.8825, respectively; and

(2) The account in the state general fund to which money withheld under NRS 338.160 is deposited;

(b) Apply the proportions obtained in subparagraphs (1) and (2) of paragraph (a) separately to the total amount of interest paid during that quarter to the state treasurer on deposits of state money; [and]

(c) Credit to the state highway fund and the taxicab authority fund

an amount equal to the amount arrived at by the computation in paragraph (b), applying the proportion obtained in subparagraph (1) of paragraph (a); and

(d) Pay to each contractor from whom money was withheld under NRS 338.160 during the quarter an amount equal to his pro rata share of the amount arrived at by the computation in paragraph (b), applying the proportion obtained in subparagraph (2) of paragraph (a).

3. The proportionate shares of the interest earned and received by:

(a) The dairy commission fund;

(b) The legislators' retirement fund;

(c) The public employees' retirement fund;

(d) The state permanent school fund;

(e) The silicosis and disabled pension fund;

(f) The offenders' store fund, offenders' employment fund and prisoners' personal property fund;

(g) The wildlife account;

(h) The trust fund for the care of sites for the disposal of radioactive waste;

(i) The Colorado River resources fund, the Colorado River research and development fund, the Eldorado Valley development fund, the Fort Mohave Valley development fund and any other special revenue fund, capital projects construction fund, trust fund, enterprise fund or agency fund for which the Colorado River commission is responsible;

(j) The business enterprise contingent fund for the blind;

(k) Any gifts, grants or bequests to state agencies which by their terms require that any interest earned inure to the credit of the donee;

(l) [The beef promotion fund;

(m)] The fund for industrial development in counties having a population of 25,000 or less, created by chapter 621, Statutes of Nevada 1979;

[(n)] *(m)* The fund for worker's compensation and safety;

[(o)] *(n)* The uninsured employers' claim fund; [and

(p)] *(o)* The subsequent injury fund [,] *; and*

(p) Any fund for which this provision is made by specific statute,

must be accounted for as separate income and assets of those respective funds and the appropriate account.

Sec. 6. Section 12 of Senate Bill No. 371 of this session is hereby repealed.''.

Amend the title of the bill to read as follows:

''An Act relating to governmental finance; continuing the existence of the Nevada beef council; crediting the interest earned on the Nevada beef promotion fund to the fund; and providing other matters properly relating thereto.''.

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 462.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 462:

YEAS—41.

NAYS—None.

Not voting—Getto.

Senate Bill No. 462 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 401.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Senate Bill No. 401:

YEAS—42.

NAYS—None.

Senate Bill No. 401 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 45.

Resolution read.

The following amendment was proposed by Assemblyman Bourne:

Amendment No. 1303.

Amend the resolution, page 2, between lines 31 and 32 by inserting: "*Resolved,* That the state engineer shall not allow any water to be transferred from Washoe Valley to any other area until the legislative commission has completed its study conducted pursuant to this resolution, its report has been submitted to the legislature, and the 63rd session of the legislature has adjourned; and be it further".

Amend the title of the resolution, third line, after "the" by inserting: "transfer of certain water and the".

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblymen Bourne, Joerg, Stone, Nicholas, Beyer and Thomas.

Amendment adopted.

Resolution ordered reprinted and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 20, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 124, 345, 496, 604, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolutions Nos. 50, 54, 55.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 52.

MAE LOFTHOUSE

Assistant Secretary of the Senate

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

Assembly in recess at 11:33 a.m.

ASSEMBLY IN SESSION

At 11:38 a.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblyman Schofield:

Assembly Joint Resolution No. 35—Urging the Congress of the United States not to store high-level radioactive waste at the Nevada Test Site.

Assemblyman Thompson moved that all rules be suspended, reading so far had considered first reading, rules further suspended, resolution considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 35.

Resolution read third time.

Remarks by Assemblyman Schofield.

Roll call on Assembly Joint Resolution No. 35:

YEAS—42.
NAYS—None.

Assembly Joint Resolution No. 35 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 20, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 371 and requests a conference, and appointed Senators Glaser, Ryan and Robinson as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 441 and requests a conference, and appointed Senators Ryan, Bilbray and Hernstadt as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 531 and requests a further conference, and appointed Senators Neal, Glaser and Glover as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 531.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 48.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 124, 361, 444, 446, 473.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Craddock, Banner and Zimmer as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 371.

Mr. Speaker appointed Assemblymen Bourne, Stone and Sedway as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 441.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 553, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 11 C, which is attached to and hereby made a part of this report.

RANDOLPH J. TOWNSEND
JAMES H. BILBRAY
LAWRENCE E. JACOBSEN
Senate Committee on Conference

JOSEPH E. DINI, JR.
ROBERT M. SADER
DANNY L. THOMPSON
Assembly Committee on Conference

Amendment No. 11 C.

Amend section 1, page 1, by deleting lines 3 through 8 and inserting:

"*1. The director of the division of animal industry of the state department of agriculture may certify a person as a lay teacher of practical veterinary skills in accordance with the regulations of the Nevada state board of veterinary medical examiners.*

2. The board shall adopt regulations setting forth standards and qualifications for such certification and the required practical veterinary skills and protocols, including practical diagnosis and treatment, life saving techniques and the use of medication and supplies.".

Amend sec. 2, page 2, line 16, by deleting: "*Nevada state board of veterinary medical examiners*" and inserting: "*director of the division of animal industry of the state department of agriculture*".

Assemblyman Dini moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 553.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 436 was passed be rescinded.

Motion carried.

Senate Concurrent Resolution No. 52.

Assemblyman Jeffrey moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 436.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Senate Bill No. 436:

YEAS—41.
NAYS—None.
Absent—Price.

Senate Bill No. 436 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 1 p.m.

Assembly in recess at 11:57 a.m.

ASSEMBLY IN SESSION

At 1:49 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 648, 675; Senate Bill No. 476, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Natural Resources, Environment and Agriculture, to which was referred Senate Bill No. 40, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Senate Bill No. 40, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bill No. 649; Senate Bill No. 390, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Concurrent Resolution No. 52, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

EDWARD J. KOVACS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 20, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 361, 534, 558, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 478, 479.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 52.

Assemblyman Jeffrey moved the adoption of the resolution.

Resolution adopted unanimously.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 534.

The following Senate amendments were read:

Amendment No. 1207.

Amend section 1, page 1, by deleting lines 11 and 12 and inserting: "one time may be used to control erosion or mitigate or prevent pollution in the Tahoe Basin.".

Amend sec. 3, page 2, line 31, by deleting "and".

Amend sec. 3, page 2, line 32, by deleting the period and inserting a semicolon.

Amend sec. 3, page 2, by inserting between lines 32 and 33:

"(j) Recommending the amount of money to be allocated to control erosion and mitigate or prevent pollution in the Tahoe Basin, both generally and as to any specific area, project or source of pollution; and

(k) Establishing which areas, projects and sources of pollution have a priority for the expenditure of money under the program and those methods or programs on which the money may be most effectively spent.".

Amend sec. 5, page 2, line 38, after "lands" by inserting: "or the mitigation or prevention of pollution".

Amend sec. 5, page 2, line 41, by deleting "and".

Amend sec. 5, page 2, line 43, by deleting the period and inserting: "; and

(c) Transmit the report to the state land registrar to be carried out as the board may recommend.".

Amendment No. 1289.

Amend sec. 3, page 2, by deleting lines 28 and 29.

Amend sec. 3, page 2, line 30, by deleting "(i)" and inserting "(h)".

Amend sec. 3, page 2, by deleting lines 31 through 33.

Amend sec. 3, page 2, line 35, by deleting "(k)" and inserting "(i)".

Assemblyman Nicholas moved that the Assembly concur in the Senate amendments to Assembly Bill No. 534.

Remarks by Assemblyman Nicholas.

Motion carried.

Bill ordered enrolled.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Natural Resources, Environment and Agriculture:

Assembly Bill No. 677—An Act relating to motor vehicle emissions; requiring used motor vehicles in designated areas to have evidence of compliance with compulsory motor vehicles emission inspection programs by certain date; and providing other matters properly relating thereto.

Assemblyman Thompson moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

SECOND READING AND AMENDMENT

Assembly Bill No. 649.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1302.

Amend section 1, page 2, line 26, by deleting "fund." and inserting: "fund for the support of higher education.".

Amend section 1, page 2, lines 32 and 33, by deleting: "[capital construction fund for higher education and the]".

Amend the bill as a whole by renumbering section 2 as section 4 and inserting new sections, designated sections 2 and 3, following section 1, to read as follows:

"Sec. 2. Section 2 of chapter 221, Statutes of Nevada 1983, is hereby amended to read as follows:

Sec. 2. NRS 463.385 is hereby amended to read as follows:

463.385 1. In addition to any other license fees and taxes imposed by this chapter, there is hereby imposed upon each slot machine operated in this state an annual tax of $250. If a slot machine is replaced by another, the replacement is not considered a different slot machine for the purpose of imposing this tax.

2. The commission shall:

(a) Collect the tax annually on or before June 20, as a condition precedent to the issuance of a state gaming license to operate any slot machine for the ensuing fiscal year beginning July 1, from a licensee whose operation is continuing.

(b) Collect the tax in advance from a licensee who begins operation

or puts additional slot machines into play during the fiscal year, prorated monthly after July 31.

(c) Include the proceeds of the tax in its reports of state gaming taxes collected.

3. The commission shall pay over the tax as collected to the state treasurer to be deposited to the credit of the state distributive school fund, the capital construction fund for higher education and the special capital construction fund for higher education, hereby created in the state treasury, in the amounts and to be expended only for the purposes specified in this section.

4. During each fiscal year the state treasurer shall deposit the tax paid over to him by the commission as follows:

(a) The first $5,000,000 of the tax in the capital construction fund for higher education;

(b) Twenty percent of the tax in the special capital construction fund for higher education; and

(c) The remainder of the tax in the state distributive school fund.

[5. There is hereby appropriated from the balance in the special capital construction fund for higher education on July 31 of each year the amount necessary to pay the principal and interest due in that fiscal year on the bonds issued pursuant to section 5 of chapter 679, Statutes of Nevada 1979. For each fiscal year after the payment of principal and interest on those bonds ceases to be required, the amount which would have been required for that purpose under the schedule of maturity of those bonds as issued is hereby appropriated from the same source to the University of Nevada to make any payments required under any lease of the project financed by those bonds. If in any year the balance in that fund is not sufficient for these purposes, the remainder necessary is hereby appropriated on July 31 from the capital construction fund for higher education. The balance remaining unappropriated in the capital construction fund for higher education on August 1 of each year and all amounts received thereafter during the fiscal year must be transferred to the state general fund for the support of higher education.] When specific projects are authorized by the legislature, money in the capital construction fund for higher education and the special capital construction fund for higher education must be transferred by the state controller and the state treasurer to the state public works board for the construction of capital improvement projects for the University of Nevada System. As used in this subsection, "construction" includes but is not limited to planning, design, acquiring and developing a site, construction, reconstruction, furnishing, equipping, replacing, repairing, rehabilitating, expanding and remodeling. Any money remaining in either fund at the end of a fiscal year does not revert to the *state* general fund but remains in those funds for authorized expenditure.

6. The money deposited in the state distributive school fund under this section must be apportioned as provided in NRS 387.030 among the several school districts of the state at the times and in the manner provided by law.

7. The board of regents of the University of Nevada may use any

money in the capital construction fund for higher education and the special capital construction fund for higher education for the payment of [:

(a) Interest] *interest* and amortization of principal on bonds and other securities, whether issued before, on or after July 1, 1979, to defray in whole or in part the costs of any capital project authorized by the legislature . [; or

(b) Any amounts required under any lease of any such project.]

Sec. 3. The board of regents of the University of Nevada shall, before entering into any agreement for the sale of either of the pavilions financed pursuant to section 5 of chapter 679, Statutes of Nevada 1979, report the entire proposed agreement and any alternatives that it has considered to the interim finance committee, and shall not enter into any such agreement unless the agreement is first approved by that committee.''.

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 390.

Bill read second time.

The following amendment was proposed by Assemblyman Sader:

Amendment No. 1280.

Amend the bill as a whole by adding a new section designated section 7.5, following section 7, to read as follows:

''Sec. 7.5. Section 17.5 of Assembly Bill No. 167 of the 62nd session of the Nevada legislature is hereby amended to read as follows:

484.393 1. The results of any blood test administered under the provisions of NRS 484.383 or 484.391 are not admissible in any hearing or criminal action arising out of the acts alleged to have been committed while a person was under the influence of intoxicating liquor or a controlled substance unless:

(a) The blood tested was withdrawn by a physician, registered nurse, licensed practical nurse, advanced emergency medical technician-ambulance or a technician employed in a medical laboratory; and

(b) The test was performed on whole blood [.] , *except if the sample was clotted when it was received by the laboratory, the test may be performed on blood serum or plasma.*

2. The limitation contained in paragraph (a) of subsection 1 does not apply to the taking of a chemical test of the urine, breath or other bodily substance.

3. No physician, registered nurse, licensed practical nurse, advanced emergency medical technician-ambulance or technician incurs any civil or criminal liability as a result of the administering of a blood test when requested by a police officer or the person to be tested to administer such test.''.

Amend sec. 8, page 5, line 3, by deleting ''*state health officer*'' and inserting: ''*committee on testing for intoxication*''.

Amend sec. 12, page 7, subsection 3, after "Sections" by inserting "7.5,".

Assemblyman Sader moved the adoption of the amendment.

Remarks by Assemblyman Sader.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 478.

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

Motion carried.

Senate Bill No. 479.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Thompson moved that Assembly Bill No. 677 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 2:30 p.m.

Assembly in recess at 1:59 p.m.

ASSEMBLY IN SESSION

At 3:21 p.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 597, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

NORMAN D. GLASER	ROBERT M. SADER
FLOYD R. LAMB	JAMES J. BANNER
LAWRENCE E. JACOBSEN	JOSEPH E. DINI, JR.
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Dini moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 597.

Motion carried.

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 129, consisting of the undersigned members, has met, and reports that:

No decision was reached.

ROBERT E. (BOB) ROBINSON	BARBARA ZIMMER
RANDOLPH J. TOWNSEND	JANE HAM
LAWRENCE E. JACOBSEN	GENE COLLINS
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Zimmer moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 129.

Motion carried.

CONSIDERATION OF SENATE AMENDMENTS.

Assembly Bill No. 604.

The following Senate amendment was read:

Amendment No. 1256.

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

"Sec. 2. If a person who serves in an elective office of a political subdivision of this state receives any additional benefits or salary pursuant to section 1 of this act after July 1, 1983, the additional benefits or salary or portion thereof must be taken into consideration by the legislature when granting any increase in his salary in 1985.".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 604.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 345.

The following Senate amendment was read:

Amendment No. 1243.

Amend sec. 2, page 1, line 5, by deleting "*law*" and inserting: "*statute or an ordinance, resolution or regulation adopted pursuant to NRS 278.010 to 278.630, inclusive,*".

Assemblyman Dini moved that the Assembly concur in the Senate amendment to Assembly Bill No. 345.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 496.

The following Senate amendment was read:

Amendment No. 1228.

Amend the bill as a whole by renumbering sections 1 through 5 as sections 3 through 7 and inserting 2 new sections designated sections 1 and 2, preceding section 1, to read as follows:

"Section 1. Chapter 387 of NRS is hereby amended by adding thereto a new section which shall read as follows:

Upon the approval of a majority of the registered voters of a county voting upon the question, the board of county commissioners in each

county may levy a tax of not more than 25 cents on each $100 of assessed valuation of taxable property within the county to construct, remodel and make additions to school buildings within the county school district. Any money collected pursuant to this section must be deposited in the county treasury to the credit of the fund for capital projects to be held and expended in the same manner as other money deposited in that fund.

Sec. 2. NRS 387.195 is hereby amended to read as follows:

387.195 1. Each board of county commissioners shall levy a tax of 50 cents on each $100 of assessed valuation of taxable property within the county for the support of the public schools within the county school district.

2. In addition to any tax levied in accordance with subsection 1, each board of county commissioners shall levy a tax for the payment of interest and redemption of outstanding bonds of the county school district.

3. The tax collected pursuant to subsection 1 and any interest earned from the investment of the proceeds of that tax must be credited to the county's school district fund.''.

Amend section 1, pages 1 and 2, by deleting lines 17 and 18 on page 1 and lines 1 and 2 on page 2.

Amend section 1, page 2, line 3, by deleting ''*5.*'' and inserting ''4.''.

Amend the title of the bill to read as follows:

''An Act relating to schools; authorizing a tax for school construction to be levied on certain property; requiring the deposit of that money into the district's fund for capital projects; requiring the revenue from the tax levied for the support of school districts and any interest earned from the investment of the proceeds of that tax to be credited to the county's school district fund; and providing other matters properly relating thereto.''.

Amend the summary of the bill, first line, by deleting: ''Allows portion of tax levies to support school districts'' and inserting: ''Authorizes levy of tax on certain property''.

Assemblyman Craddock moved that the Assembly concur in the Senate amendment to Assembly Bill No. 496.

Remarks by Assemblyman Craddock.

Motion carried.

Bill ordered enrolled.

GENERAL FILE AND THIRD READING

Assembly Bill No. 677.

Bill read third time.

Remarks by Assemblymen Thompson, Fay, Bogaert, Stone, Malone, Bilyeu, Swain and Price.

Roll call on Assembly Bill No. 677:

YEAS—32.

NAYS—Beyer, Bogaert, Brady, Fay, Francis, Humke, May, Price, Stone—9.

Absent—Schofield.

Assembly Bill No. 677 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 323.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Senate Bill No. 323:

YEAS—41.

NAYS—None.

Absent—Schofield.

Senate Bill No. 323 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 361.

The following Senate amendment was read:

Amendment No. 1271.

Amend sec. 10, page 5, by deleting lines 13 through 17 and inserting: "*moral character and who has a total of 5 years of credit for education or practical training, or a combination thereof which is acceptable to the board, may apply to the board for registration as a residential designer. The board shall by regulation establish the amount of credit allowed for education, practical training or a combination thereof.*".

Amend sec. 10, page 5, line 19, by deleting "*designer.*" and inserting: "*designer, which may be required as part of the examination to be an architect.*".

Assemblyman Jeffrey moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 361.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 558.

The following Senate amendments were read:

Amendment No. 1292.

Amend sec. 10, page 5, line 40, after "maintaining" by inserting: "a track suitable for racing horses at".

Amend sec. 12, page 6, line 27, by deleting the semicolon and inserting: "to make it suitable for racing horses and accommodating related pari-mutuel wagering;".

Amend sec. 12, page 6, line 28, after "maintenance of" by

inserting: "the race track and facilities for related pari-mutuel wagering at".

Amend the bill as a whole by adding a new section designated section 13.5, following section 13, to read as follows:

"Sec. 13.5. 1. The person who is licensed to conduct horse racing at Las Vegas Downs shall immediately pay into the trust account the sums of $50,000 to pay the initial expenses of the racing commission in regulating racing at Las Vegas Downs.

2. The money paid into the trust account pursuant to subsection 1 must within 1 year after the money is deposited in the account be repaid in full to the licensee at the time and in the manner and amount determined by the Nevada racing commission. Notwithstanding the provisions of paragraph (c) of subsection 2 of NRS 466.080, the commission shall repay the licensee from the state's share of the proceeds of the tax which is collected from money handled on greyhound races at Las Vegas Downs pursuant to subsection 1 of NRS 466.125, before distributing the state's share of that tax to the state general fund.".

Amend sec. 14, page 7, line 3, by deleting "; and" and inserting: "which relate to the track for racing horses; and".

Amendment No. 1263.

Amend sec. 10, page 6, line 1, after "commission" by inserting: ", one person representing the Henderson city council, designated by that council,".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendments to Assembly Bill No. 558.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 124.

The following Senate amendment was read:

Amendment No. 1104.

Amend section 1, page 1, line 9, by deleting "*may*" and inserting "*shall*".

Amend section 1, page 1, line 10, by deleting "*11*" and inserting "*10*".

Amend sec. 5, page 3, line 17, by deleting "*453.381,*" and inserting "*453.401,*".

Amend sec. 5, page 3, by deleting line 21 and inserting:

"*23. Any violation of subsection 2 or 3 of NRS 463.360*".

Amend sec. 8, page 4, line 4, by deleting "*that*".

Amend sec. 16, page 9, line 22, after "*action*", by inserting: "*against a person causing such injury*".

Amend sec. 18, page 11, by deleting lines 13 and 14 and inserting: "*under section 10 of this act, the persons so conspiring shall be punished in the manner provided in section 10 of this act.*".

Amend the title of the bill, line 2, after the semicolon, by inserting: "providing punishment for the collection of debts by extortion;".

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 124.

Motion carried.

Bill ordered enrolled.

GENERAL FILE AND THIRD READING

Senate Bill No. 415.
Bill read third time.
Remarks by Assemblyman Jeffrey.
Roll call on Senate Bill No. 415:

YEAS—40.
NAYS—Price.
Absent—Schofield.

Senate Bill No. 415 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

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

Assembly in recess at 3:40 p.m.

ASSEMBLY IN SESSION

At 3:49 p.m.
Mr. Speaker presiding.
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Assembly Bill No. 577 be returned from enrollment.
Motion carried.
Assemblyman Stewart moved that the vote whereby Assembly Bill No. 577 was passed be rescinded.
Motion carried.

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

Assembly in recess at 3:59 p.m.

ASSEMBLY IN SESSION

At 5:05 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Legislative Functions, to which was referred Assembly Bill No. 676, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

EDWARD J. KOVACS, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 20, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 455, 661, 670, 672.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 508, 535, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 448.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 553.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendment to Senate Bill No. 370.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 475, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

JAMES H. BILBRAY	DANNY L. THOMPSON
ALAN H. GLOVER	JAMES J. BANNER
WILLIAM J. RAGGIO	ROBERT M. SADER
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Thompson moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 475.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 45.

Assemblyman Bourne moved the adoption of the resolution.

Resolution adopted unanimously, as amended.

SECOND READING AND AMENDMENT

Assembly Bill No. 676.

Bill read second time.

The following amendment was proposed by Assemblyman Kovacs:

Amendment No. 1312.

Amend section 1, page 2, by deleting line 7 and inserting: "nizations to finance any interim studies.".

Assemblyman Jeffrey moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, engrossed and to the Concurrent Committee on Ways and Means.

GENERAL FILE AND THIRD READING

Senate Bill No. 472.
Bill read third time.
Remarks by Assemblyman Stewart.
Roll call on Senate Bill No. 472:

YEAS—42.
NAYS—None.

Senate Bill No. 472 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 648.
Bill read third time.
Remarks by Assemblymen Bremner, Coffin, Sedway, Stone, Beyer, Thomas, Bilyeu and May.
Assemblyman May moved that Assembly Bill No. 648 be taken from the General File and placed on the Chief Clerk's desk.
Remarks by Assemblymen Bremner and May.
Motion carried.

Assembly Bill No. 675.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Assembly Bill No. 675:

YEAS—42.
NAYS—None.

Assembly Bill No. 675 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 40.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 40:

YEAS—42.
NAYS—None.

Senate Bill No. 40 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 476.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 476:

YEAS—42.
NAYS—None.

Senate Bill No. 476 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

Senate Bill No. 237.

Bill read third time.

Remarks by Assemblymen Thomas, Fay, Bourne and Sedway.

Roll call on Senate Bill No. 237:

YEAS—42.

NAYS—None.

Senate Bill No. 237 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 577.

Bill read third time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1313.

Amend sec. 4, page 3, by deleting lines 14 through 36 and inserting:

"217.260 1. Money for payment of compensation as ordered by the board *and for payment of salaries and other expenses incurred by the hearings division of the department of administration pursuant to NRS 217.010 to 217.270, inclusive,* must be paid from the fund for the compensation of victims of crime, which is hereby created. Money in the fund must be disbursed on the order of the board in the same manner as other claims against the state are paid.

2. Money deposited in the fund which is recovered from a forfeiture of assets pursuant to section 7 of Assembly Bill No. 189 of this session must be used for the counseling and medical treatment of minors who are involved in the production of pornography in violation of NRS 200.509 or section 3 or 4 of Assembly Bill No. 189 of this session.

3. If on June 30 of any year the fund contains more than $350,000, excluding any money deposited which is recovered from a forfeiture of assets pursuant to section 7 of Assembly Bill No. 189 of this session, the state treasurer shall distribute the excess to the counties in the same proportion that the money which each county paid to the fund bears to the amount paid to the fund by all counties. The distribution must be made on or before July 31, and the money must be deposited in the general fund of each county.".

Amend the bill as a whole by adding a new section, designated section 5, following section 4, to read as follows:

"Sec. 5. Section 4 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Assemblyman Stewart moved the adoption of the amendment.

Remarks by Assemblyman Stewart.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 478, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 479, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Dini moved that Assembly Bill No. 218 be returned from enrollment.

Motion carried.

Assemblyman Dini moved that the vote whereby Assembly Bill No. 218 was passed be rescinded.

Motion carried.

Assemblyman Dini moved that Assembly Bill No. 218 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

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

Assembly in recess at 5:37 p.m.

ASSEMBLY IN SESSION

At 5:43 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 232 be returned from enrollment.

Motion carried.

Assemblyman May moved that the vote whereby Assembly Bill No. 232 was passed be rescinded.

Motion carried.

Assemblyman May moved that Assembly Bill No. 140 be returned from enrollment.

Motion carried.

Assemblyman May moved that the vote whereby Assembly Bill No. 140 was passed be rescinded.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 678—An Act relating to executive boards and commissions; resolving conflicts with Assembly Bill No. 667; and providing other matters properly relating thereto.

Assemblyman Bremner moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered

engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Senate Bill No. 479 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Bremner.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 218.

Bill read third time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1314.

Amend sec. 21, pages 6 through 8, by deleting lines 39 through 44 on page 6, lines 1 through 43 on page 7 and lines 1 through 5 on page 8 and inserting:

"Sec. 21. Section 11 of Senate Bill No. 112 of this session is hereby amended to read as follows:

Sec. 11. 1. This section, section 10 and subsection 2 of section 9 of this act shall become effective upon passage and approval.

2. Section 8 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Amend sec. 22, page 8, by deleting line 6 and inserting:

"Sec. 22. This section, sections 14 to 17, inclusive, and section 21 of this".

Amend sec. 22, page 8, by deleting lines 8 and 9.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 478.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Senate Bill No. 478:

YEAS—42.

NAYS—None.

Senate Bill No. 478 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 232.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1323.

Amend sec. 2, page 2, by deleting lines 40 and 41.

Amend the bill as a whole by renumbering section 5 as section 6 and adding a new section designated section 5, following section 4, to read as follows:

"Sec. 5. Section 20 of Assembly Bill No. 449 is hereby amended to read as follows:

Sec. 20. 1. This section and sections 13, 17, 18 and 19 of this act shall become effective upon passage and approval.

2. Sections 1, 15.3, 15.5 and 15.9 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Amend sec. 5, page 5, line 12, by deleting "12:01" and inserting "12:02".

Amend sec. 5, page 5, by deleting line 13 and inserting: "a.m. on July 1, 1983, and must be used in appraising real property for".

Amend sec. 5, page 5, by deleting line 16 and inserting: "1, 1984, and must be used in appraising real property for taxes to be".

Assemblyman May moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 140.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1322.

Amend sec. 14.6, pages 13 and 14, by deleting lines 28 through 44 on page 13 and lines 1 through 10 on page 14 and inserting:

"377.055 1. The state controller, acting upon the collection data furnished by the department, shall monthly:

(a) Determine for each county an amount of money equal to the sum of:

(1) Any fees and any taxes, interest and penalties which derive from the basic city-county relief tax collected in that county pursuant to this chapter during the preceding month, less the amount transferred to the state general fund pursuant to subsection 3 of NRS 377.050 and the sum of any amounts distributed pursuant to NRS 377.053; and

(2) That proportion of the total amount of taxes which derive from that portion of the tax levied at the rate of one-half of 1 percent collected pursuant to this chapter during the preceding month from out-of-state business not maintaining a fixed place of business within this state which the population of that county bears to the total population of all counties which have in effect a city-county relief tax ordinance.

(b) Remit the amount determined for each county in the following manner:

(1) If there is one incorporated city in the county, apportion the money between the city and the county general fund in proportion to the respective populations of the city and the unincorporated area of the county.

(2) If there are two or more cities in the county, apportion all such money among the cities in proportion to their respective populations.

(3) If there are no incorporated cities in the county, remit the entire amount to the county treasurer for deposit in the county general fund.

2. The provisions of paragraph (b) of subsection 1 do not apply to Carson City, where the treasurer shall deposit the entire amount determined to the city and received from the state controller in the general fund.

3. The governor shall annually, on or before January 1, certify the population of each county and city to be used for the purposes of this section during the fiscal year beginning on the following July 1.''.

Amend sec. 17, page 15, by inserting between lines 37 and 38:

''2. Section 11.9 of chapter 169, Statutes of Nevada 1983, is hereby amended to read as follows:

Sec. 11.9. NRS 377.055 is hereby amended to read as follows:

377.055 1. The [state controller, acting upon the collection data furnished by the] department, shall monthly [:

(a) Determine] *determine* for each county an amount of money equal to the sum of:

[(1)] *(a)* Any fees and any taxes, interest and penalties which derive from the basic city-county relief tax collected in that county pursuant to this chapter during the preceding month, less the amount transferred to the state general fund pursuant to subsection 3 of NRS 377.050 and the sum of any amounts distributed pursuant to NRS 377.053; and

[(2)] *(b)* That proportion of the total amount of taxes which derive from that portion of the tax levied at the rate of one-half of 1 percent collected pursuant to this chapter during the preceding month from out-of-state business not maintaining a fixed place of business within this state which the population of that county bears to the total population of all counties which have in effect a city-county relief tax ordinance.

[(b) Remit] *2. The department shall apportion and the state controller shall remit* the amount determined for each county in the following manner:

[(1)] *(a)* If there is one incorporated city in the county, apportion the money between the city and the county general fund in proportion to the respective populations of the city and the unincorporated area of the county.

[(2)] *(b)* If there are two or more cities in the county, apportion all such money among the cities in proportion to their respective populations.

[(3)] *(c)* If there are no incorporated cities in the county, remit the entire amount to the county treasurer for deposit in the county general fund.

[2.] *3.* The provisions [of paragraph (b)] of subsection [1] *2* do not apply to Carson City, where the treasurer shall deposit the entire amount determined [to] *for* the city and received from the state controller in the general fund.

[3. The governor shall annually, on or before January 1, certify the

population of each county and city to be used for the purposes of this section during the fiscal year beginning on the following July 1.]

4. For the purpose of the distribution required by this section, the occasional sale of a vehicle shall be deemed to take place in the county to which the privilege tax payable by the buyer upon that vehicle is distributed.''.

Amend sec. 17, page 15, line 38, by deleting ''2.'' and inserting ''3.''.

Assemblyman May moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 678

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Assembly Bill No. 678:

YEAS—42.

NAYS—None.

Assembly Bill No. 678 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assemblyman Bremner moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 5:51 p.m.

ASSEMBLY IN SESSION

At 6:34 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 20, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 667.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 535.

The following Senate amendments were read:

Amendment No. 1094.

Amend sec. 3, page 2, line 14, by deleting ''*which applies,*''.

Amend sec. 13, page 6, line 22, by deleting ''*action*'' and inserting: ''*action, except the refusal to issue a license,*''.

Amendment No. 1286.

Amend sec. 11, pages 4 and 5, by deleting lines 40 through 43 on page 4 and lines 1 through 8 on page 5 and inserting:

"463.430 1. It is unlawful for any person in this state to receive, supply or disseminate in this state by any means information received from any source outside of this state concerning horse racing, when the information is to be used for the purpose of maintaining and operating any gambling game and particularly any horse race book, *except off-track pari-mutuel wagering for which the user is licensed pursuant to chapter 464 of NRS,* without first having obtained a license so to do as provided in NRS 463.430 to 463.480, inclusive.

2. The provisions of this section do not apply to any public utility operating in the State of Nevada.

3. For the purposes of this section, any broadcasting or display of information concerning horse racing is an incident of maintaining and operating a horse race book.".

Assemblyman Stewart moved that the Assembly concur in the Senate amendments to Assembly Bill No. 535.

Motion carried.

Bill ordered enrolled.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 531, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

JOE NEAL	JAMES W. SCHOFIELD
NORMAN D. GLASER	PAUL W. MAY
ALAN H. GLOVER	BOB L. KERNS
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Schofield moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 531.

Motion carried.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 508.

The following Senate amendments were read:

Amendment No. 1219.

Amend the bill as a whole by deleting section 31.5.

Amend sec. 33, page 16, line 18, by deleting "21" and inserting "32".

Amendment No. 1269.

Amend sec. 15, page 5, by deleting lines 12 and 13 and inserting "hood organizations;".

Assemblyman Swain moved that the Assembly concur in the Senate amendments to Assembly Bill No. 508.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Sader moved that Senate Bill No. 390 be returned from the printer.

Motion carried.

Assemblyman Sader moved that the vote whereby Amendment No. 1280 to Senate Bill No. 390 was adopted be rescinded.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 390.

Bill read second time.

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1279.

Amend sec. 7, page 4, by deleting line 14 and inserting:"test provided for in NRS 484.383 or section 2 of Assembly Bill No. 167 of this session, evidence of".

Amend sec. 7, page 4, line 15, by deleting "*or administrative*" and inserting "or administrative".

Amend sec. 7, page 4, line 16, by deleting: "[such person] *he*" and inserting "he".

Amend sec. 7, page 4, after line 18, by inserting:

"2. Except as provided in subsection 4 of section 2 of Assembly Bill No. 167 of this session, a court or hearing officer may not exclude evidence of a required test or failure to submit to such a test if the police officer or other person substantially complied with the provisions of NRS 484.383 to 484.393, inclusive, and section 2 of Assembly Bill No. 167 of this session.".

Amend sec. 7, page 4, line 19, by deleting "2." and inserting "3.".

Amend sec. 7, page 4, line 20, by deleting: "[such test shall] *that test must*" and inserting "that test must".

Amend sec. 7, page 4, line 22, by deleting "*3.*" and inserting "*4.*".

Amend sec. 8, page 4, line 30, by deleting "[or,]" and inserting ",".

Amend sec. 8, page 4, by deleting line 31, and inserting: "a controlled substance whose use or possession is".

Amend sec. 8, page 4, lines 32 and 33, by deleting: "*or a chemical, poison or organic solvent,*" and inserting: "or a chemical, poison or organic solvent,".

Amend sec. 8, page 4, lines 34 and 35, by deleting: "[the affidavit of such person] *the expert's affidavit*" and inserting "the expert's affidavit".

Amend sec. 8, page 4, lines 37 and 38, by deleting: "[for the purpose of proving] *to prove the identity of*" and inserting: "to prove the identity of".

Amend sec. 8, page 4, by deleting lines 41 and 42 and inserting: "absence of [alcohol or] a controlled substance, chemical, poison or organic solvent, as the case may be.".

Amend sec. 8, page 4, after line 42, by inserting:

"2. [Whenever a person withdraws a sample of blood from another for the purpose of analysis by an expert as mentioned in subsection 1, the affidavit of the person who withdraws the sample is admissible in any court in any criminal proceeding to prove the occupation of the affiant, the identity of the person from whom the affiant withdrew the sample, the fact that the affiant kept the sample in his sole custody or control and in substantially the same condition as when he first obtained it until delivering it to another and the person to whom the affiant delivered it.

3. Whenever a person receives from another a sample of blood or urine or other tangible evidence that is alleged to contain alcohol or a controlled substance, chemical, poison or organic solvent, the affidavit of the person who receives the sample or other evidence may be admitted in any court in any criminal proceeding to prove the occupation of the affiant, the facts that the affiant received a sample or other evidence from another person and kept it in his sole custody or control in substantially the same condition as when he first received it until delivering it to another, and the identity of the person to whom the affiant delivered it.]".

Amend sec. 8, page 4, line 43, by deleting "2.".

Amend sec. 9, page 6, by deleting lines 15 through 20 and inserting: "able under chapters 453 or 484 of NRS or homicide resulting from driving a vehicle while under the influence of intoxicating liquor or a controlled substance as defined in chapter 453 of NRS, or a chemical, poison or organic solvent, and it is necessary to prove the existence of any alcohol or the existence or identity of a controlled substance, chemical, poison or organic solvent,".

Amend sec. 9, page 6, lines 22 and 23, by deleting: "[a person qualified as provided] *an expert or other person described*" and inserting: "an expert or other person described".

Amend sec. 9, page 6, line 27, by deleting: "[such] *the* trial [examination] *or*" and inserting: "the trial or [examination]".

Amend sec. 9, page 6, line 29, by deleting "mail ," and inserting "mail,".

Amend sec. 9, page 6, by deleting line 30 and inserting:

"3. If the defendant or his counsel notifies the".

Amend sec. 9, page 6, line 32, by deleting "[such]".

Amend sec. 9, page 6, by deleting lines 33 through 38 and inserting: "the trial or [examination] *hearing* that the presence of the expert or other person is demanded, the affidavit must not be admitted. A defendant who demands the presence of the expert or other person and is convicted of violating NRS 484.379 *or a provision of chapter 484 of NRS for which a driver's license may be revoked* shall pay the fees and expenses of that witness [in court.] *at the trial or hearing.*".

Amend sec. 9, page 6, line 40, by deleting "*or other person*" and inserting "or other person".

Amend sec. 9, page 6, by deleting lines 41 and 42 and inserting "appears to be in the interest of justice that the expert or other person be examined or cross-examined in person, the judge".

Amend sec. 9, page 7, line 4, by deleting "[such] *the*" and inserting "the".

Amend sec. 11, page 7, by deleting line 17 and inserting:

"Sec. 11. NRS 50.335 and sections 29 to 31, inclusive, of Assembly Bill No. 167 of the 62nd session of the Nevada legislature are hereby repealed.".

Amend sec. 12, page 7, after line 24, by inserting:

"3. Sections 8, 9 and 11 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Amend sec. 12, page 7, line 25, by deleting "3." and inserting "4.".

Amendment No. 1280.

Amend the bill as a whole by adding a new section designated section 7.5, following section 7, to read as follows:

"Sec. 7.5. Section 17.5 of Assembly Bill No. 167 of the 62nd session of the Nevada legislature is hereby amended to read as follows:

484.393 1. The results of any blood test administered under the provisions of NRS 484.383 or 484.391 are not admissible in any hearing or criminal action arising out of the acts alleged to have been committed while a person was under the influence of intoxicating liquor or a controlled substance unless:

(a) The blood tested was withdrawn by a physician, registered nurse, licensed practical nurse, advanced emergency medical technician-ambulance or a technician employed in a medical laboratory; and

(b) The test was performed on whole blood [.] *, except if the sample was clotted when it was received by the laboratory, the test may be performed on blood serum or plasma.*

2. The limitation contained in paragraph (a) of subsection 1 does not apply to the taking of a chemical test of the urine, breath or other bodily substance.

3. No physician, registered nurse, licensed practical nurse, advanced emergency medical technician-ambulance or technician incurs any civil or criminal liability as a result of the administering of a blood test when requested by a police officer or the person to be tested to administer such test.".

Amend sec. 8, page 5, line 3, by deleting "*state health officer*" and inserting: "*committee on testing for intoxication*".

Amend sec. 12, page 7, subsection 3, after "Sections" by inserting "7.5,".

Assemblyman Sader moved the adoption of the amendments.

Remarks by Assemblyman Sader.

Amendments adopted.

Bill ordered reprinted, re-engrossed and to third reading.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 371, consisting of the undersigned members, has met, and reports that:

No decision was reached, and recommends the appointment of a second Committee

on Conference, to consist of three members, for the further consideration of the bill.

NORMAN D. GLASER	ROBERT G. CRADDOCK
BOB RYAN	JAMES J. BANNER
ROBERT E. (BOB) ROBINSON	BARBARA ZIMMER
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Craddock moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 371.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen May, Schofield and Bergevin as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 371.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 8 p.m.

Assembly in recess at 6:40 p.m.

ASSEMBLY IN SESSION

At 8:25 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and Assembly Bill No. 649 and Senate Bill No. 456 be declared emergency measures under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 458, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 20, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 517 and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 557 and requests a conference, and appointed Senators Foley, Wagner and Ryan as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 371 and requests a second conference, and appointed Senators Gibson, Ashworth and

Raggio as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 371.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the second Committee on Conference concerning Assembly Bill No. 129.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 475.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 597.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 331, 415.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to concur in the Assembly amendments to Senate Bills Nos. 93, 258.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Senate Joint Resolution No. 11.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Joint Resolution No. 11, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendments of the Assembly be concurred in.

It has agreed to recommend that the resolution be further amended as set forth in Amendment No. 13 C, which is attached to and hereby made a part of this report.

WILLIAM J. RAGGIO	JAMES W. SCHOFIELD
NORMAN D. GLASER	ROBERT G. CRADDOCK
ALAN H. GLOVER	EDWARD J. KOVACS
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 13 C.

Amend the resolution, page 1, line 7, by deleting "*tax.*" and inserting: "*tax and only for the purpose of education, to be divided between the common schools and the state university for their support and maintenance.*".

Assemblyman Schofield moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Joint Resolution No. 11.

Remarks by Assemblyman Schofield.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 220, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendments of the Assembly be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 14 C, which is attached to and hereby made a part of this report.

THOMAS R. C. WILSON
THOMAS J. HICKEY
JAMES H. BILBRAY
Senate Committee on Conference

JAMES A. STONE
COURTENAY C. SWAIN
LEONARD V. NEVIN
Assembly Committee on Conference

Amendment No. 14 C.

Amend section 1, page 1, line 3, by deleting "*1.*".

Amend section 1, page 1, lines 4 and 5, by deleting: "*Except as otherwise provided in subsection 2, the*" and inserting "*The*".

Amend section 1, page 1, line 6, by deleting "*(a)*" and inserting "*1.*".

Amend section 1, page 1, line 8, by deleting "*(b)*" and inserting "*2.*".

Amend section 1, page 1, by deleting lines 10 through 17.

Amend sec. 3, page 2, line 19, by deleting: "*within subsections 2 to 5,*".

Amend sec. 3, page 2, by deleting lines 20 through 24 and inserting: "*to be tried in a different order:*".

Amend sec. 3, page 2, line 25, by deleting "2." and inserting "1.".

Amend sec. 3, page 2, line 26, by deleting "[2.] *3.*" and inserting "2.".

Amend sec. 3, page 2, by inserting between lines 27 and 28:

"*3. Prosecutions in which the state, upon determining that the physical, emotional or mental condition of the victim of, or a material witness to, an alleged felony or gross misdemeanor is deteriorating because of his age, an illness or an injury to himself or his spouse, has demanded a trial within 60 days after the arraignment of the person accused of the felony or gross misdemeanor pursuant to section 1 of this act.*".

Assemblyman Stone moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 220.

Remarks by Assemblyman Stone.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 223.

Bill read third time.

Remarks by Assemblyman Thompson.

Roll call on Senate Bill No. 223:

YEAS—42.

NAYS—None.

Senate Bill No. 223 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 649.

Bill read third time.

Remarks by Assemblymen Bremner, May, Bergevin and Sedway.

Roll call on Assembly Bill No. 649:

YEAS—28.

NAYS—Bergevin, Bourne, Brady, Coffin, Craddock, DuBois, Francis, Ham, Jeffrey, Malone, Nicholas, Price, Stewart, Thompson—14.

Assembly Bill No. 649 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 456.

Bill read third time.

Remarks by Assemblymen Dini, Price and Kerns.

Roll call on Senate Bill No. 456:

YEAS—42.

NAYS—None.

Senate Bill No. 456 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 458.

Bill read third time.

Remarks by Assemblyman Kerns.

Roll call on Senate Bill No. 458:

YEAS—42.

NAYS—None.

Senate Bill No. 458 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Thompson, Sedway and Beyer as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 557.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 151, 449, 536, 538, 543, 548, 585; Senate Bill No. 412.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Swain, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Clare Ryan Vander Wonde and Pam Ryan.

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Larry W. Goodson.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Sandra L. Stewart.

On request of Assemblyman Sader, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Candice Sader.

On request of Assemblyman May, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Lucille May.

Assemblyman Jeffrey moved that the Assembly adjourn until Saturday, May 21, 1983, at 9:30 a.m.

Motion carried.

Assembly adjourned at 8:41 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-FIFTH DAY

CARSON CITY (Saturday), May 21, 1983

Assembly called to order at 10:48 a.m.
Mr. Speaker presiding.
Roll called.
All present.
Prayer by the Chaplain, The Reverend Kenneth E. Bergmann.

God, Father of us all,

For this beautiful day, we give you thanks. You have filled it not only with extraordinary beauty, but also with extraordinary possibilities, "sine die" among them.

Help us to make the most of its possibilities, especially those that offer a way of solving the perplexing problems with which this Assembly must struggle this legislative day.

Forgive us if, out of our weariness, we grow impatient with you or with one another, and in your mercy Lord, hear this our prayer.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 335, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 348, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ROGER BREMNER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 20, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 246, 662, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 361 and requests a conference, and appointed Senators Glover, Faiss and Jacobsen as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the second Committee on Conference concerning Assembly Bill No. 531.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 276, which was returned from enrollment for the purpose of effecting a technical amendment.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 237, 323, 452, 472; Senate Concurrent Resolution No. 45.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to concur in the Assembly amendments to Senate Bill No. 136.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Senate Bill No. 220.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Price, Vergiels, Kovacs, Schofield, Banner, Bergevin, Berkley, Beyer, Bilyeu, Bogaert, Bourne, Brady, Bremner, Chaney, Coffin, Collins, Craddock, Dini, DuBois, Fay, Francis, Getto, Ham, Humke, Jeffrey, Joerg, Kerns, Malone, Marvel, May, Nevin, Nicholas, Perry, Redelsperger, Sader, Sedway, Stewart, Stone, Swain, Thomas, Thompson and Zimmer:

Assembly Concurrent Resolution No. 66—Instructing the director of the legislative counsel bureau to grant paid leave to employees of the legislative counsel bureau in recognition of their service to the 62nd session of the Nevada legislature.

Assemblyman Price moved the adoption of the resolution.

Remarks by Assemblyman Price.

Resolution adopted unanimously.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Schofield, Fay, May, Jeffrey and Kovacs:

Assembly Bill No. 679—An Act relating to radioactive materials; requiring persons who transport certain highly radioactive materials in this state to obtain a permit and pay a fee; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 348.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1296.

Amend section 1, page 1, line 3, after "carry out" and inserting: "a program of capital improvements, including".

Amend section 1, page 1, line 5, by deleting "$8,565,000" and inserting "$6,250,000".

Amend the bill as a whole by deleting section 2 and renumbering section 3 as section 2.

Amend the bill as a whole by renumbering section 4 as section 18 and adding new sections, designated as sections 3 through 17, following section 3, to read as follows:

"Sec. 3. The obligation of this state during the fiscal biennium beginning on July 1, 1983, to make any changes in its existing buildings which would otherwise be required pursuant to chapter 659, Statutes of Nevada 1981, is limited to those buildings in state institutions which contain permanent accommodations for sleeping.

Sec. 4. The proceeds of the bonds issued under section 1 of this act are hereby allocated for the following projects numbered and described in the executive budget for fiscal years 1983-84 and 1984-85 or otherwise described as follows:

1. Construction, reconstruction or installations for fire protection for state buildings except that only buildings which contain permanent accommodations for sleeping are included, Project 83-I-A $362,500

2. Construction, reconstruction or installations for fire protection for the University of Nevada System except that only buildings which contain permanent accommodations for sleeping are included, Project 83-IV-A $1,942,000

3. Capital improvements for the department of prisons:

(a) Project 83-B-1 to replace the doors and locks at Desert Hall, southern Nevada correctional center $232,000

(b) Project 83-B-4 to improve fence security at northern Nevada correctional center 89,180

(c) Project 83-B-8 to rehabilitate the kitchen and dining hall at southern Nevada correctional center 130,892

(d) Installation of a water tank at Nevada state prison 62,562

(e) Purchase of the electrical utility within Nevada state prison 15,400

(f) For the enlargement or construction and equipping of prison honor camps 1,856,383

4. For initial equipment and other costs for additional honor camps for the division of forestry of the department of conservation and natural resources $1,116,285

Sec. 5. The state public works board is authorized to use $55,000 derived from settlements between the Federal Government and certain oil companies which accrue to the State of Nevada for repairs to the Kinkead Building.

Sec. 6. The state public works board is authorized to use $300,000 of the money belonging to the department of museums and history for the construction of a railroad exhibit building at the Virginia and Truckee railroad museum.

Sec. 7. The state public works board is authorized to use $145,300 derived from settlements between the Federal Government and certain oil companies which accrue to the State of Nevada and $176,500 derived from capital improvement fees collected by the University of Nevada, for a program of capital improvements for the university described as Project 83-IV-2 in the executive budget for fiscal years 1983-84 and 1984-85 except that the cooling tower for the dining commons must be paid for from capital improvement fees.

Sec. 8. The state public works board is authorized to use $63,360 from the capital construction fund for higher education created pursuant

to NRS 463.385 and $96,000 of funds derived from settlements between the Federal Government and certain oil companies which accrue to the State of Nevada for projects 83-IV-8 and 83-IV-10 of the executive budget for fiscal years 1983-84 and 1984-85.

Sec. 9. The public works board is authorized to use project funds and not more than $48,375 in either fiscal year 1983-84 or 1984-85 from the bond proceeds authorized by section 1 of this act for its own architectural, engineering, design and inspection functions.

Sec. 10. With the approval of the interim finance committee, the state public works board may transfer money from one project or subproject to another within the same department of government or within the University of Nevada.

Sec. 11. The state public works board may accept bids on either the whole or any part of the construction, equipment and furnishings, and may let separate contracts for different and separate portions of any project or a combination contract if savings will result to the lowest responsible bidder, but any and all bids may be rejected for any good reason.

Sec. 12. The state public works board is not required to advertise for bids for projects estimated to cost less than $10,000, but the board shall solicit firm written bids from not less than two licensed contractors doing business in the area and may thereafter award a contract to the lowest responsible bidder or reject all bids.

Sec. 13. NRS 341.020 is hereby amended to read as follows:

341.020 The state public works board, consisting of [10] *the chief of the budget division of the department of administration and nine* members to be appointed by the governor, is hereby created. [The state planning coordinator shall be appointed as one of the 10 members, and the chief of the budget division of the department of administration is ex officio a member of the state public works board.]

Sec. 14. NRS 341.060 is hereby amended to read as follows:

341.060 Within a reasonable time after the appointment of the members of the board, the board shall meet upon the call of the governor and shall organize by [:

1. Electing] *electing* a chairman [.

2. Selecting a secretary, who need not be a member of the board.] *and vice chairman.*

Sec. 15. NRS 341.100 is hereby amended to read as follows:

341.100 1. [The board may appoint a manager and technical supervisor, and such other technical and clerical assistants as may be necessary to carry into effect the purposes of its acts.

2. The manager and technical supervisor of the board and his deputy] *The governor shall appoint a manager and deputy manager for the board who* are in the unclassified service of the state.

[3.] 2. The manager [and technical supervisor of the board] and his deputy:

(a) Must each be a registered professional engineer pursuant to the provisions of chapter 625 of NRS or an architect licensed under the provisions of chapter 623 of NRS; and

(b) Shall each devote his entire time and attention to the business of

his office and shall not pursue any other business or occupation or hold any other office of profit.

3. The manager shall serve as the secretary of the board.

Sec. 16. NRS 341.150 is hereby amended to read as follows:

341.150 1. The state public works board shall furnish engineering and architectural services to the University of Nevada and all other state departments, boards or commissions charged with the construction of any building constructed on state property or the money for which is appropriated by the legislature, except:

(a) [Highway maintenance buildings; and] *Buildings used in maintaining highways; and*

(b) Improvements, other than buildings, made in state parks by the state department of conservation and natural resources.

The board of regents of the University of Nevada and all other such departments, boards or commissions shall use those services.

2. The services must consist of:

(a) Preliminary planning [.] *;*

(b) Designing [.] *;*

(c) Estimating of costs [.] *; and*

(d) Preparation of detailed plans and specifications.

3. The board may, with the approval of the interim finance committee when the legislature is not in regular or special session, or with the approval of the legislature by concurrent resolution when the legislature is in regular or special session, plan a project in advance by preparing floor plans, cross sections, elevations, outlines of specifications, estimates of cost by category of work and perspective renderings of the project. The board may submit preliminary or advance plans or designs to qualified architects or engineers for preparation of detailed plans and specifications if the board deems such action desirable. The cost of preparation of preliminary or advance plans or designs, the cost of detailed plans and specifications, and the cost of all architectural and engineering services are charges against the appropriations made by the legislature for any state buildings or projects, or buildings or projects planned or contemplated by any state agency for which the legislature has appropriated or may appropriate money. The costs must not exceed the limitations that are or may be provided by the legislature.

[3.] *4.* The board:

(a) [Has] *After consulting with the interim finance committee, has* final authority for approval as to the architecture of all buildings, plans, designs, types of construction, major repairs and designs of landscaping.

(b) Shall solicit bids for and let all contracts for new construction or major repairs.

(c) May negotiate with the lowest responsible bidder on any contract to obtain a revised bid if:

(1) The bid is less than the appropriation made by the legislature for that building project; and

(2) The bid does not exceed the relevant budget item for that building project as established by the board by more than 10 percent.

(d) May reject any or all bids.

(e) After the contract is let, shall supervise and inspect construction and major repairs. The cost of supervision and inspection must be financed from the capital construction program approved by the legislature.

(f) May authorize change orders, before or during construction:

(1) In any amount, where the change represents a reduction in the awarded contract price.

(2) Not to exceed in the aggregate 10 percent of the total awarded contract price, where the change represents an increase in that price.

(g) Has final authority to accept each building as completed or to require necessary alterations to conform to the contract, and to file the notice of completion.

(h) Shall establish such funds for projects of capital construction as are necessary to account for the program of capital construction approved by the legislature. These funds must be used to account for all revenues, appropriations and expenditures restricted to constructing buildings and other projects which come under the supervision of the board.

Sec. 17. NRS 218.6825 is hereby amended to read as follows:

218.6825 1. There is hereby created in the legislative counsel bureau an interim finance committee composed of the members of the assembly standing committee on ways and means and the senate standing committee on finance during the current or immediately preceding session of the legislature. The immediate past chairman of the senate standing committee on finance shall be the chairman of the interim finance committee for the period ending with the convening of the 56th session of the legislature. The immediate past chairman of the assembly standing committee on ways and means shall be the chairman of the interim finance committee during the next legislative interim, and the chairmanship shall continue to alternate between the houses of the legislature according to this pattern.

2. If any regular member of the committee informs the secretary that he will be unable to attend a particular meeting, the secretary shall notify the speaker of the assembly or the majority leader of the senate, as the case may be, to appoint an alternate for that meeting from the same house and political party as the absent member.

3. The interim finance committee, except as provided in subsection 4 may exercise the powers conferred upon it by law only when the legislature is not in regular or special session. The membership of any member who does not become a candidate for reelection or who is defeated for reelection continues until the next session of the legislature is convened.

4. During a regular session the interim finance committee may also perform the duties imposed on it by *paragraph (a) of subsection 4 of NRS 341.150, and by* NRS 353.220, 353.224 and 353.335 and chapter 621, Statutes of Nevada 1979. In performing those duties, the senate standing committee on finance and the assembly standing committee on ways and means may meet separately and transmit the results of their

respective votes to the chairman of the interim finance committee to determine the action of the interim finance committee as a whole.

5. The director of the legislative counsel bureau shall act as the secretary of the interim finance committee.

6. A majority of the members of the assembly standing committee on ways and means and a majority of the members of the senate standing committee on finance, jointly, may call a meeting of the interim finance committee if the chairman does not do so.

7. In all matters requiring action by the interim finance committee, the vote of the assembly and senate members must be taken separately. An action must not be taken unless it receives the affirmative vote of a majority of the assembly members and a majority of the senate members.

8. Except during a regular or special session of the legislature, each member of the interim finance committee and appointed alternate is entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session for each day or portion of a day during which he attends a committee meeting or is otherwise engaged in committee work plus the per diem allowance and travel expenses provided by law. All such compensation must be paid from the contingency fund in the state treasury.''.

Amend the title of the bill to read:

''An Act relating to public works; directing the state board of examiners to issue state general obligation bonds for the purpose of providing fire protection and other capital improvements in and about buildings of the University of Nevada System and other state buildings; requiring consultation with the interim finance committee for certain projects; and providing other matters properly relating thereto.''.

Amend the summary of the bill after ''protection'' by inserting: ''and other capital improvements;''.

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblyman Bremner.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 517.

The following Senate amendment was read:

Amendment No. 1293.

Amend sec. 3, page 4, by deleting line 16 and inserting:

''(p) Any fund for which this provision is made by specific statute,''.

Amend the bill as a whole by renumbering section 4 as section 5 and adding a new section designated section 4, following section 3, to read as follows:

''Sec. 4. Section 11 of Senate Bill No. 112 is hereby amended to read as follows:

Sec. 11. 1. This section and subsection 2 of section 9 and section 10 of this act become effective upon passage and approval.

2. Section 8 of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Amend sec. 4, page 4, by deleting lines 19 and 20 and inserting:

''Sec. 5. 1. This section and section 4 of this act shall become effective upon passage and approval.

2. Section 3 of this act shall become effective at 12:02 a.m. on July 1, 1983.''.

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 517.

Remarks by Assemblyman Jeffrey.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 276 was passed be rescinded.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 246.

The following Senate amendment was read:

Amendment No. 1275.

Amend the bill as a whole, by deleting sections 1 through 3 and renumbering section 4 as section 1.

Amend the bill as a whole, by deleting section 5.

Amend the title of the bill, first line, by deleting: ''making various changes regarding'' and inserting: ''authorizing the granting of immunity in''.

Amend the summary of the bill to read as follows: ''Authorizes grant of immunity in preliminary examinations.''.

Assemblyman Stewart moved that the Assembly concur in the Senate amendment to Assembly Bill No. 246.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Stewart moved that the Assembly recede from its action on Senate Bill No. 258.

Remarks by Assemblyman Stewart.

Motion carried.

Assemblyman Bourne moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:05 a.m.

ASSEMBLY IN SESSION

At 11:10 a.m.
Mr. Speaker presiding.
Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 21, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 677.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill Nos. 300, 419, 446, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 567 and requests a conference, and appointed Senators Ashworth, Raggio and Glover as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 65.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 466.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 466.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Labor and Management.

Motion carried.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Sedway, Kerns and Redelsperger as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 361.

Mr. Speaker appointed Assemblymen Schofield, Price and Zimmer as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 567.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Assembly Bill No. 335 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 335.

Bill read third time.

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 717.

Amend the bill as a whole by renumbering sections 58 through 63 as sections 65 through 70 and adding new sections, designated as sections 58 through 64 following section 57, to read as follows:

"Sec. 58. NRS 523.011 is hereby amended to read as follows:

523.011 1. The legislature finds that:

(a) Energy is essential to the economy of the state and to the health, safety and welfare of the people of the state.

(b) The state has a responsibility to encourage the maintenance of a reliable and economical supply of energy at a level which is consistent with the protection of environmental quality.

(c) The state has a responsibility to encourage the utilization of a wide range of measures which reduce wasteful uses of energy resources.

(d) Planning for energy conservation and future energy requirements should include consideration of state, regional and local plans for land use, urban expansion, transportation systems, environmental protection and economic development.

(e) Government and private enterprise need to accelerate research and development of alternative sources of energy and to improve technology related to the research and development of existing sources of energy.

(f) Prevention of delays and interruptions in providing energy, protecting environmental values and conserving energy require expanded authority and capability within state government.

2. It is the policy of this state to encourage participation with all levels of government and private enterprise in cooperative state, regional and national programs to assure adequate supplies of energy resources and markets for such energy resources.

3. It is the policy of this state to [consolidate] *assign* the responsibility for managing and conserving energy [resources within one department and to permit such department to coordinate research and development relating to energy resources within the state.] *and its sources to agencies whose other programs are similar, to avoid duplication of effort in developing policies and programs for energy.*

Sec. 59. NRS 523.021 is hereby amended to read as follows:

523.021 As used in this chapter:

1. ["Department" means the department of energy.

2.] "Director" means the director of the [department.] *office.*

2. "Office" means the office of community services.

Sec. 60. NRS 523.031 is hereby amended to read as follows:

523.031 1. The [department of energy is hereby created.

2. The department consists of the director and:

(a) The division of energy research and development; and

(b) The division of energy conservation and planning.

3. The governor shall appoint a director to serve as the executive head of the department.

4. The director must:

(a) Be in the unclassified service.

(b) Be selected with special reference to his training, experience, capability and interest in the field of energy conservation and management.

(c) Devote his entire time and attention to the business of his office and shall not pursue any other business or occupation or hold any other office of profit.

5. As executive head of the department, the director is responsible for the administration of all provisions of law relating to the functions of the department.

6. The director may employ any clerical and operational personnel necessary for the performance of his duties, prescribe their duties and fix their salaries in accordance with classifications made by the personnel division of the department of general services.

7.] *office of community services is hereby created. The governor shall appoint its director.*

2. The director and the employees of the [department] *office* are entitled to receive the travel expenses and subsistence allowances provided by law.

Sec. 61. NRS 523.051 is hereby amended to read as follows:

523.051 1. The director may administer any gifts or grants which the [board] *office* is authorized to accept.

2. Expend money received from those gifts or grants or from legislative appropriations to contract with qualified persons or institutions for research in the production and efficient use of energy resources.

3. Enter into any cooperative agreement with any federal or state agency or political subdivision.

4. Participate in any program established by the Federal Government relating to *sources of* energy [resources] and adopt regulations appropriate to that program.

Sec. 62. NRS 523.131 is hereby amended to read as follows:

523.131 The director shall:

1. Acquire and analyze information relating to energy and to the supply, demand and conservation of [energy resources.] *its sources.*

2. Utilize all available public and private means to provide information to the public about [energy] problems *relating to energy* and to explain how conservation of energy [resources] *and its sources* may be accomplished.

3. Review and evaluate information which identifies [energy resource] trends and permits forecasting of the energy [situation in] *available to* the state. Such forecasts [shall] *must* include estimates on:

(a) The level of [energy] demand *for energy* in the state for 5-, 10- and 20-year periods;

(b) The amount of energy [resources which are] available to meet each level of demand;

(c) The probable implications of [such] *the* forecast on the demand and supply [levels] of energy *;* [resources;] and

(d) The alternative *sources of* energy [resources] which are available and their possible effects.

4. Study means of reducing wasteful, inefficient, unnecessary or uneconomical uses of energy [resources] and encourage the maximum utilization of existing *sources of* energy [resources] in the state.

5. Encourage the development of any existing and alternative *sources of* energy [resources] which will benefit the state.

6. [Review] *In conjunction with the desert research institute, review* policies relating to the research and development of the state's geothermal resources and make recommendations to the appropriate state and federal agencies for establishing methods of developing the geothermal resources within the state.

Sec. 63. NRS 523.161 is hereby amended to read as follows:

523.161 1. Except for those energy resources for whose [use] priorities *of use* are established by the public service commission of Nevada, the director [shall] *may* recommend to state agencies, local governments and appropriate private persons and entities, standards for conservation of energy [resources] *and its sources* and for carrying out the state [energy conservation] plan [.] *for the conservation of energy.*

2. In recommending such standards the director shall consider the usage of energy [resources] *and its sources* in the state and the methods available for conservation of [the energy resources.] *those sources.*

Sec. 64. NRS 523.171 is hereby amended to read as follows:

523.171 The director , *incooperation with the chief of the buildings and grounds division of the department of general services,* shall, upon request, provide information and assistance to any agency, bureau, board, commission, department or division which is engaged in [energy] *the* management, planning, utilization and distribution [.] *of energy.*''.

Amend sec. 58, page 24, lines 34 and 35 by deleting ''513.071 and 522.070'' and inserting: ''513.071, 522.070, 523.041, 523.061, 523.071, 523.081, 523.111, 523.121, 523.163 and 523.165''.

Amend sec. 63, page 25, line 26, by deleting ''62,'' and inserting ''69,''.

Amend the title of the bill, first line, by deleting ''minerals;'' and inserting ''natural resources;''.

Amend the title of the bill, sixth line, after ''resources;'' by inserting: ''abolishing the department of energy; creating the office of community services;''.

Amend the summary of the bill by deleting the period and inserting ''and energy.''.

Amendment No. 1071.

Amend the bill as a whole by adding a new section, designated section 68.5, following section 68, to read as follows:

''Sec. 68.5. Section 1 of chapter 612, Statutes of Nevada 1979, at page 1319, is hereby amended to read as follows:

Section 1. 1. There is hereby appropriated from the state general fund to the department of energy the sum of $250,000 to economize the use of energy in state facilities.

2. A project proposed to economize the use of energy, the cost of which will be met with money appropriated by this act, must be

approved by the interim finance committee before it is begun and must be carried out under the supervision of the state public works board.

3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1983, and reverts to the state general fund as soon as all payments of money committed have been made.''.

Assemblyman Bremner moved the adoption of the amendments.

Remarks by Assemblyman Bremner.

Amendments adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 140.

Bill read third time.

Remarks by Assemblyman May.

Roll call on Assembly Bill No. 140:

YEAS—42.

NAYS—None.

Assembly Bill No. 140 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 218.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Assembly Bill No. 218:

YEAS—42.

NAYS—None.

Assembly Bill No. 218 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 232.

Bill read third time.

Remarks by Assemblyman Bergevin.

Roll call on Assembly Bill No. 232:

YEAS—41.

NAYS—Malone.

Assembly Bill No. 232 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 577.

Bill read third time.

Remarks by Assemblyman Stewart.

Roll call on Assembly Bill No. 577:

YEAS—42.

NAYS—None.

Assembly Bill No. 577 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Assembly Bill No. 648 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblyman May.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 648.

Bill read third time.

The following amendment was proposed by Assemblyman May:

Amendment No. 1330.

Amend section 1, page 1, by deleting lines 3 through 18 and inserting:

"*1. All property, real and personal, which the University of Nevada sells to any natural person, sole proprietorship, partnership, corporation or association and which the purchaser simultaneously leases back to the university, to be used primarily for its educational purposes, is exempt from taxation during the time the property is so leased by the university.*

2. All land owned by the University of Nevada which is leased to a natural person, sole proprietorship, partnership, corporation or association and which is subleased back to the unversity in connection with the lease of improvements on the land to the university for its educational purposes, is exempt from taxation during the time the land is so subleased.

3. The exemption provided by this section is limited to property sold and leased back, or leased and subleased back, during the fiscal year beginning on July 1, 1983, unless the Nevada tax commission grants an extension for completion of the transaction and it is completed within the time extended. Such an extension must not exceed 1 year and may be granted only with respect to a transaction timely begun if the tax commission finds that good cause existed for the parties' failure to complete it within that fiscal year.".

Amend the title of the bill, by deleting the second and third lines and inserting: "subleased to the University of Nevada; and providing other matters properly".

Amend the summary of the bill by deleting "certain public entities." and inserting "University of Nevada.".

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblymen May, Bilyeu and Kovacs.

Assemblymen Kovacs, Thomas and Sedway requested a roll call on Assemblyman May's motion.

Roll call on Assemblyman May's motion:

YEAS—25.

NAYS—Beyer, Bilyeu, Bourne, Bremner, Dini, Getto, Humke, Joerg, Kerns, Kovacs, Malone, Marvel, Nicholas, Sedway, Stone, Thomas, Zimmer—17.

The motion having received a majority, Mr. Speaker declared the amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 390.
Bill read third time.
Remarks by Assemblymen Sader and Stone.
Roll call on Senate Bill No. 390:
YEAS—40.
NAYS—Stone, Thomas—2.

Senate Bill No. 390 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Banner moved that the Assembly do not recede from its action on Senate Bill No. 136, that a conference be requested, and that Mr. Speaker appoint a first Committee on Conference consisting of three members to meet with a like committee of the Senate.
Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Banner, Francis and Thomas as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 136.

GENERAL FILE AND THIRD READING

Senate Bill No. 276.
Bill read third time.
Remarks by Assemblyman Coffin.
Roll call on Senate Bill No. 276:
YEAS—42.
NAYS—None.

Senate Bill No. 276 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Senate Bill No. 479 be taken from the Chief Clerk's desk and placed on the Second Reading File.
Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 479.
Bill read second time.
The following amendment was proposed by the Committee on Ways and Means:
Amendment No. 1311.
Amend section 1, page 1, by deleting lines 2 through 7 and inserting:
"387.1235 Local funds available are the proceeds of the local school support tax imposed by chapter 374 of NRS [.] *and whatever*

portion of the tax on property levied by the board of county commissioners may be prescribed by law for that fiscal year. The department of taxation shall furnish an estimate of''.

Amend sec. 5, page 3, by deleting lines 15 through 31 and inserting:

Carson City School District	$2,018	$2,106
Churchill County School District	1,963	2,050
Clark County School District	1,856	1,938
Douglas County School District	1,845	1,927
Elko County School District	2,032	2,122
Esmeralda County School District	3,242	3,387
Eureka County School District	4,445	4,643
Humboldt County School District	1,975	2,063
Lander County School District	2,030	2,119
Lincoln County School District	3,123	3,261
Lyon County School District	2,224	2,322
Mineral County School District	2,269	2,370
Nye County School District	1,970	2,057
Pershing County School District	2,062	2,154
Storey County School District	3,457	3,609
Washoe County School District	1,783	1,862
White Pine County School District	2,438	2,545''.

Amend sec 6, page 3, by deleting line 34 and inserting: ''school year is $19,500 for the fiscal year 1983-84 and $20,500 for the''.

Amend sec. 6, page 4, by deleting lines 5 through 25 and inserting:

''Carson City	31	$604,500	32	$656,000
Churchill County	16	312,000	17	348,500
Clark County	509	9,925,500	533	10,926,500
Douglas County	20	390,000	22	451,000
Elko County	24	468,000	26	533,000
Esmeralda County	2	39,000	2	41,000
Eureka County	2	39,000	2	41,000
Humboldt County	12	234,000	13	266,500
Lander County	7	136,500	7	143,500
Lincoln County	5	97,500	6	123,000
Lyon County	17	331,500	18	369,000
Mineral County	7	136,500	7	143,500
Nye County	14	273,000	15	307,500
Pershing County	4	78,000	4	82,000
Storey County	2	39,000	2	41,000
Washoe County	179	3,490,500	189	3,874,500
White Pine County	9	175,500	10	205,000
Subtotal	860	$16,770,000	905	$18,552,500
Reserved by State Board of Education	25	487,500	25	512,500
Total	885	$17,257,500	930	$19,065,000''.

Amend sec. 7, page 4, by deleting lines 35 and 36 and inserting:

''For the fiscal year 1983-84	$133,248,637
For the fiscal year 1984-85	140,641,334''.

Amend the bill as a whole by adding a new section, designated section 9.5, following section 9, to read as follows:

"Sec. 9.5. 1. In addition to the annual levy required by NRS 387.195, each board of county commissioners shall levy for the support of the public schools within the county school district during each of the fiscal years 1983-84 and 1984-85, 35 cents on each $100 of assessed valuation.

2. The additional levy made pursuant to subsection 1 is the portion of the total tax levy required to be counted as local funds available for that fiscal year.".

Assemblyman Bremner moved the adoption of the amendment.

Remarks by Assemblymen Bremner, DuBois, Jeffrey, Bourne, Brady, Fay, Craddock, May and Sedway.

Assemblyman Stone requested that the following remarks be entered in the Journal:

ASSEMBLYMAN BREMNER:

Yes, Mr. Speaker, what this does is that it reinstitutes the Ways and Means Distributive School Fund Plan in this bill. That would be with the 35 cents tax levy with the special education units, 19.5 the first year and 20.5 the second year, an increase of 35 units the first year, 40 units the second year. It also increases the basic support levels.

ASSEMBLYMAN DUBOIS:

Thank you, Mr. Speaker. I must rise in opposition to this amendment which would raise the level of the property tax by 35 cents. Once again I stand in complete opposition to the 35 cent tax increase. Simply put, the people of Nevada did not send us to Carson City to raise their property taxes by 40, 50, 60, 70, 80 percent, which is the total amount of the tax bill that they will receive. This 35 cents will add on to that to even a greater degree. I say the time has come to draw the line, to stand up for the people of the state. We keep hearing about all these state programs and how much good they do, and I am sure that they do, but it is time that we started to hear from the taxpayers and how much damage it would do to their pocketbooks if we allow for this huge tax increase on top of all the other increases. We keep hearing that in spite of the $103 million increase in the state budget that there is no place to cut.

I submit that there is no place to cut the family budgets of the 850,000 people who live in this state and who will be saddled with another huge property tax, not to mention all the other taxes which will be imposed upon them. In this final hour I plead with you to come to your senses, to reverse this wild binge of tax and spend, tax and spend. This final hour I plead with you to cast your vote for the people, for the taxpayer.

ASSEMBLYMAN JEFFREY:

Mr. Speaker, there were some figures distributed yesterday so we would know what we are voting on here, the difference between the Senate and Assembly proposals for the Distributive School Fund. I won't go through all of the counties that are affected here. Clark County is affected by a $5,242,000 difference between the Senate and Assembly budgets. Then we can go through; Washoe is almost $1,800,000, and the various small counties are considerably less than that, of course, but it is also a major part of their budget.

It is interesting to note that some of our Republican colleagues are still talking about cutting the General Appropriation Act. The General Appropriation Act is not in this house. It has been agreed to by both houses. It is also interesting to note that the Republican members of the Ways and Means Committee that agreed to all those figures now, apparently, think they made a mistake. I think that we need to take the responsibility to fund state government and the school system to the point that they need to be funded, and I think even the 35 cents is rather tenuous. We don't know what's going to happen in Clark County as far as the labor problems that are going on down there now are concerned, and I think we are taking a real risk even at 35 cents. 30 cents, I think, is impossible. I wish that the people that were pushing the tax shift the last session

would come to their senses and admit that it's not working and admit they made a mistake and do something to put this state back on a stable base.

ASSEMBLYMAN BOURNE:

Thank you, Mr. Speaker. If I start getting off the subject a little bit I will be more than happy to move to Item of Business 15. I would like to address the amendment if I can, but I would also like to address Assembly Bill No. 673 and Senate Bill No. 479, so I will move to Item of Business 15. Basically, it's the same bill right now. And everybody's been waiting for my question. Well, you're going to get it now. Anybody that wants can answer it, Mr. May or Mr. Bremner, either one would be fine. Page No. 2, pick either bill because they are the same bill now, go to line 8, subsection 3, lines 8 through 12, and if you can give me an explanation then I've got another question.

ASSEMBLYMAN BREMNER:

Yes, Mr. Bourne. What that says is that the State Controller, instead of paying the money quarterly to the school districts has the option of giving it to them on a monthly basis to help the cash flow of the State of Nevada.

ASSEMBLYMAN BOURNE:

Second question. That being the case, that's the reason we've lined out quarterly, right?

ASSEMBLYMAN BREMNER:

Yes.

ASSEMBLYMAN BOURNE:

Okay. The citizens of the State of Nevada need to know that I would vote for 35 cents, 50 cents, a dollar, two dollars, or whatever it would take for education. But as long as the General Fund is going to use the interest on that money to fund potential shortfalls, I can't buy it, and I will be voting "no".

ASSEMBLYMAN BREMNER:

Well, I can't answer that question, Mr. Bourne, because what you are saying makes absolutely no sense.

ASSEMBLYMAN BOURNE:

Mr. Speaker, I've been told by members of the party that I have done that all session, so I'm not going to change.

ASSEMBLYMAN BRADY:

Mr. Speaker, I would like to respond to Mr. Jeffrey's question. He talked about the fact that the General Appropriation Bill has been passed through this house, and, therefore, we are attacking education. Let me just remind the people of this house that was on a 20 something vote, that I have a resolution right here in my hand to bring back here so we can make the necessary cuts. I repeatedly, in Ways and Means, made motions to make further cuts in state spending. Those motions have been voted down on straight party lines as late as just the other day when we met.

I have gone around and asked numerous Democrats to sign on this resolution so we could bring the appropriations act back. I have been unable to get one signature to go on here from the opposite party to bring the appropriations bill back. We were not allowed to speak on that bill when it came through. It seems to me that it was a deliberate attempt to pass an appropriation to put the monkey on everybodys back here so we have to talk education as a place to cut. I believe it was irresponsible to pass the appropriations through at that time. It is forcing our hand at this time. We have come a long way and I hope that we can just hold the line a little bit longer.

ASSEMBLYMAN FAY:

Mr. Brady, you didn't ask me, but I will sign on that resolution. I would like to say just one thing. I rise in favor of this amendment to this bill, and I'm not going to repeat my remarks from the other day. But to my friends and colleagues in this Assembly, I quote to you from Omar Kyan's Rubiat: "In the valley of the blind, the one-eyed man is king."

ASSEMBLYMAN JEFFREY:

Mr. Speaker, I can only say that if the Republicans on the Ways and Means Committee don't think that the Ways and Means Committee did the job, I was under

the impression that each of those budgets were concurred in practically unanimously, with the exception of the school budget, and four people wanted more than was in the budget. I understood the rest of the budgets were agreed to unanimously. If the Republicans on that committee don't think the committee did the job, I would be willing to sign on the resolution, provided they are willing to go through those budgets again, item by item, and make cuts where they are possible to be made.

ASSEMBLYMAN CRADDOCK:

Mr. Speaker, it doesn't take a real soothsayer to see some of the things that are going on here. During the deliberations of the Taxation Committee, we worked on every taxing scheme imaginable by all the members of this legislature. Right or wrong, we rejected many when we were not under such pressure. Now, in haste, we look back, and I wonder why. We raised some taxes to a point where they very well may prove to be counter productive. If there is any method to raise revenue necessary to operate the state for the next two years without a substantial increase in property tax rates, it's the best kept secret in Carson City. While admittedly I don't know the budget as well as some of the members of the budgeting committee should, I have no reason to believe, in this point in time, that it did not receive proper scrutiny. If everyone on the budget committee during that process agreed with the budgeting committee, I think if any changes are to be made at this point in time, that those are the people who should do it.

I went back and looked at what we have done. We've scraped the bottom of the barrel with a paring knife, and I think we've raised, probably, some $75 or $76 million by way of accelerated payments, transfers, and this and that. If we are looking toward a budget surplus in the neighborhood of $38 or $40 million, that seems to me to come down to bottom line. We are spending then in the year some $35 or $40 million more than we are taking in. I would like to know, at this point in time, how much more we are planning on budgeting this year than we take in, because we don't have a barrel to scrape to get the rest of it out of that I am aware of. My real concern is running an expenditure that is far above the amount of taxation now. If it's proper then how do we manage to make up two years down the road or four years down the road, the amount of money that we have managed to scrape out of residuals that we have stuck around in the State of Nevada recently. I would like to pose that question to anybody on this floor.

ASSEMBLYMAN MAY:

Mr. Speaker, to you and through you to Mr. Brady, Mr. Brady, I don't think you consulted me with regard to signing on the resolution. I will be happy to discuss it with you at your convenience. Mr. Speaker, to you and through you to Mr. Bourne and members of the house, I think Mr. Bourne's indication for a "no" vote on the amendment before us having to do with the 35 cents tax rate arises from a measure heard in Assembly Government Affairs Committee. If I'm not mistaken, and please correct me where I deviate, Mr. Bourne, the measure would have provided that the property taxes received by the county treasuries of the 17 counties, in part, are collected for support of the local school districts within that county. Sometimes there is a delay between the collection of that money and the transmittal of that money to the school districts. The interest derived from the money during the time that it is collected and transmitted, I believe, is the point of contention, sir. There was a bill heard by Government Affairs that would have mandated the immediate transmittal of that money, not allowing the county to have access to whatever interest was derived from it. It was a hot issue. The committee spent a lot of time discussing it. It is my impression that an informal agreement was reached with Washoe County, as well as Clark County, that money, not under NRS but under mutual agreement outside the committee and outside of legislative action, that a speedup would occur in the transmission of that money so the school districts would have access to it, would have the ability to deposit it, if it were not immediately needed for expenditure, and be allowed themselves to retain the interest derived from it. Mr. Bourne, I hope you will concur with that statement, sir. I wish you would search your conscience one more time with regard to your vote.

ASSEMBLYMAN BOURNE:

Regarding that item, Paul, and I appreciate your comments on that, but that makes the point even stronger, as far as I'm concerned. If we went from quarterly, paid it to the county and the county orchestrated their effort to collect the interest on it before they submitted it to the schools, the schools are the losers in this. They've lost that

interest. We're talking about fluid money. We've talked about fluid money all the way through here. We talked about fluid money on a bill, we're losing interest money because businesses are sending in checks from out of state banks. We ruled that out that it was a real positive thing to try to stop that.

But to our educational institutions we've got a flow problem. Now we're moving that flow problem from a quarterly, by the change in the law, you understand, by changing the law from quarterly to monthly, or as the controller seems to think we have a problem with the money. If we are truly trying to help education, we'll still give them the money on a quarterly basis, let them get the float on that money, let them give it to the kids where it belongs, and that's my contention. Getting back, it's not 35 cents, that's not my problem, my problem is, let's get the money where it belongs; let's get the education where it belongs; let's let them draw the interest off of it, and if we get shortfalls in our budget, let's find the place to put it back in the budget where it belongs. But let's be honest with the people of the State of Nevada regarding that issue.

ASSEMBLYMAN SEDWAY:

I rise in support of Amendment No. 1311, which fills me with a real sense of frustration because after 125 days we are faced with a situation which should have been resolved months ago. This morning, in two separate caucuses, one for our Republican colleagues and one for our Democratic colleagues we were given alternatives to what has been placed before you for a vote right now. What they gave us was a bubblegum and bandaid approach to state finance. It will not work. It will force us to be placed in a position that our colleagues of two years ago left us with. We will force the people of the State of Nevada to, once again, skirt the brink of bankruptcy. We will descimate our educational system if we accept the figures that have been placed in Senate Bill No. 479 by our colleagues in the Senate. What we must do is look inside ourselves, not at our leaders, not at Jack Jeffrey, not at John Vergiels, not at Bill Brady, not at Lou Bergevin, but look inside yourself and think what you, who represent the people of your district, are going to do to the children and taxpayers in your district. Every one of you, regardless of your political persuasion, or your philosophy, must realize that what we do here today is going to affect the lives of every citizen of this state for the next two years. Don't be persuaded to walk in lockstep because someone said you must do that. Think what you are going to do to everyone who you represent. You, Dave Humke, and you, Danny Thompson, are responsible for your people. Bill Brady isn't responsible for your people. Jack Jeffrey isn't responsible for your people. You are. You are responsible for those children and what you are going to do to this system. Let no one fool you. You, each and every one of us here, are going to make the decision how this state is going to run. What they have given us is a lie. It will not work. A penny here on bubblegum and soda pop, they just put a stupid, dumb bill in front of you to permit a fee for imposing high level radioactive waste. Ridiculous. Absolutely ridiculous. What we need is a stable base which was taken away from us two years ago. And there is only one stable base to finance the State of Nevada, and that's an adequate ad valorem tax. If political realities worry you that your voters will not send you back here because you're going to go from 30 cents to 35 cents, do you think a difference of a nickle is going to make the difference in whether they are going to vote for you if it's 93 cents or 98 cents? Who cares if we come back? What we do here is a legacy for two years, and the legacy that we are going to leave, if we do not support this amendment, is going to put the State of Nevada in a state of financial collapse. It's going to descimate our educational system, it's going to put our system of providing for people in a state of flux so that we will not be able to meet our responsibilities to those who need the help. I tell you now that five cents is the difference between success and failure in keeping our state on an even keel. I ask that you support Amendment No. 1311 so that we may meet our responsibilities. Look to no one else. Just look to yourselves.

ASSEMBLYMAN BOURNE:

Get that back to quarterly and you've got 35 cents out of me.

ASSEMBLYMAN DUBOIS:

One very brief remark. The people who will be descimated are the taxpayers. We're not talking about a nickle. That's another hoax. We're talking about up to 50, 60, 70, 80 cents. That is the real question here.

Assemblymen Nevin, Craddock and Redelsperger requested a roll call on Assemblyman Bremner's motion.

Remarks by Assemblyman Craddock.

Roll call on Assemblyman Bremner's motion:

YEAS—20.

NAYS—Bergevin, Beyer, Bilyeu, Bogaert, Bourne, Brady, DuBois, Francis, Getto, Ham, Humke, Joerg, Kerns, Kovacs, Malone, Marvel, Nicholas, Redelsperger, Stewart, Stone, Thomas, Zimmer—22.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

Assemblyman Dini moved that Senate Bill No. 479 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Natural Resources, Environment and Agriculture, to which was referred Assembly Bill No. 679, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DANNY L. THOMPSON, *Chairman*

GENERAL FILE AND THIRD READING

Assembly Bill No. 679.

Bill read third time.

Remarks by Assemblymen Schofield, Fay, Bogaert and Price.

Roll call on Assembly Bill No. 679:

YEAS—42.

NAYS—None.

Assembly Bill No. 679 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 300.

The following Senate amendments were read:

Amendment No. 1189.

Amend section 1, pages 1 and 2, by deleting lines 6 through 8 on page 1 and lines 1 through 4 on page 2 and inserting "*son.*".

Amend sec. 9, page 6, by deleting lines 4 through 15 and inserting:

"427A.020 As used in this chapter, unless the context otherwise requires:

1. "Administrator" means the chief of the aging services division of the department.

2. "Advocate" means an advocate for residents of facilities for long-term care.

3. "Commission" means the Nevada commission on aging.

4. "Day care center" means [any health and care facility, as defined by NRS 449.007, which is maintained and operated primarily

to provide care for one or more elderly disabled persons during the day.] *a day care facility for adults as defined in section 10 of this act.*

5. "Department" means the department of human resources.

6. "Director" means the director of the department.

7. "Division" means the aging services division of the department.

8. "Facility for long-term care" means:

(a) A group care facility as defined in NRS 449.005;

(b) An intermediate care facility as defined in NRS 449.014;

(c) A skilled nursing facility as defined in NRS 449.018; and

(d) A family home or other establishment, whether or not certified or licensed by any state or local governmental agency, in which room and board, laundry services and continuous protection and oversight are provided for compensation to not more than three adult persons who:

(1) By reason of age or disability are incapable of independent living but do not require the care of a practical or professional nurse; and

(2) Are not related to the person or persons maintaining the home or establishment.".

Amend sec. 14, page 6, line 42, by deleting "12:01" and inserting "12:02".

Amendment No. 1326.

Amend sec. 2, page 2, line 16, by deleting "[62] *60*" and inserting "60".

Amend sec. 14, page 7, line 5, after "Sec. 14." by inserting:

"1. Section 2 of this act shall become effective at 12:01 a.m. on July 1, 1983.

2.".

Assemblyman Stewart moved that the Assembly concur in the Senate amendments to Assembly Bill No. 300.

Remarks by Assemblyman Stewart.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 662.

The following Senate amendment was read:

Amendment No. 1297.

Amend section 1, page 1, line 2, by deleting "and 3" and inserting: "to 4, inclusive,".

Amend sec. 2, page 1, by deleting line 10 and inserting: "*county, by ordinances regularly adopted and approved by the voters of the county or city as provided in section 3 of this act, may decide to participate in*".

Amend sec. 2, page 2, by deleting lines 3 through 5 and inserting:

"*3. The ordinance adopted by a board of county commissioners or governing body of an incorporated city must be approved by the voters of the county or city at least 1 month before the tax is to become effective, and the tax may*".

Amend sec. 2, page 2, line 8, after "*city*" by inserting: "*and the voters thereof*".

Amend sec. 2, page 2, line 10, by deleting "*adopting and*

repealing'' and inserting: ''*approval by the voters of the adoption or repeal of*''.

Amend the bill as a whole by renumbering sections 3 and 4 as sections 4 and 5 and adding a new section designated section 3, following section 2, to read as follows:

''Sec. 3. *An ordinance enacted pursuant to section 2 of this act:*

1. Becomes effective when it is approved by a majority of the registered voters of the county or incorporated city voting upon a question which the governing body may submit to the voters at any election.

2. Must provide that the tax is imposed beginning on the next January 1 or July 1 following by at least 1 month the approval of the ordinance by the voters.

3. Must provide that the tax is imposed at the proportional rate described in section 2 of this act, that it is apportioned as described in section 4 of this act and that the proceeds of the tax may be used solely to repair or restore existing paved roads, streets and alleys within the city or unincorporated areas of the county, as appropriate.

4. Must provide that all amendments to chapter 365 of NRS which relate to the tax imposed pursuant to section 2 of this act and become effective after the date of approval of the ordinance by the voters, automatically become a part of that ordinance.''.

Amend sec. 3, page 2, line 22, by deleting ''2'' and inserting ''*3*''.

Amend sec. 4, page 2, line 42, by deleting ''and 3'' and inserting: ''to 4, inclusive,''.

Amend sec. 4, page 2, line 43, after ''adopting'' by inserting ''and approving''.

Amend the title of the bill, line 2, by deleting the semicolon and inserting: ''by ordinances approved by the voters;''.

Assemblyman May moved that the Assembly concur in the Senate amendment to Assembly Bill No. 662.

Remarks by Assemblyman May.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 419.

The following Senate amendment was read:

Amendment No. 1309.

Amend sec. 4, page 4, by deleting lines 29 and 30 and inserting: ''time during the fiscal year by reducing the tax one-twelfth for each full''.

Amend sec. 4, page 4, line 32, by deleting the open bracket.

Amend the bill as a whole by adding new sections, designated sections 6.3 and 6.6, following section 6, to read as follows:

''Sec. 6.3. Chapter 354 of NRS is hereby amended by adding thereto a new section which shall read as follows:

Whenever any document, supporting information or related schedule concerning the budget of a local government is filed with the department of taxation or the Nevada tax commission, the executive director shall immediately deliver a copy to the legislative counsel bureau.

Sec. 6.6. NRS 354.470 is hereby amended to read as follows:

354.470 NRS 354.470 to 354.626, inclusive, *and section 6.3 of this act* may be cited as the Local Government Budget Act.''.

Amend the title of the bill, first line, by deleting ''the property tax;'' and inserting ''governmental finance;''.

Amend the title of the bill, fifth line, after ''property;'' by inserting: ''providing information for the legislature concerning local government budgets;''.

Assemblyman Price moved that the Assembly concur in the Senate amendment to Assembly Bill No. 419.

Remarks by Assemblyman Price.

Motion carried.

Bill ordered enrolled.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Bremner moved that the Assembly do not recede from its action on Senate Bill No. 93, that a conference be requested, and that Mr. Speaker appoint a first Committee on Conference consisting of three members to meet with a like committee of the Senate.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Bremner, Sedway and Sader as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 93.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 446.

The following Senate amendment was read:

Amendment No. 1128.

Amend section 1, page 1, line 6, after ''entitled'' by inserting: '', upon attaining the age of 50 years,''.

Amend section 1, page 1, by deleting lines 8 and 9 and inserting: ''ance to which the retired employee was entitled.''.

Amend section 1, page 2, line 2, by deleting ''*patrol.*'' and inserting: ''*patrol, an inspector or field agent of the motor carrier division of the department of motor vehicles or a fireman in the division of forestry of the state department of conservation and natural resources.*''.

Amend the bill as a whole by adding a new section designated section 2, following section 1, to read as follows:

''Sec. 2. This act shall become effective at 12:01 a.m. on July 1, 1983.''.

Amend the title of the bill, third line, by deleting ''patrolmen;'' and inserting: ''patrolmen, inspectors and field agents of the department of motor vehicles and certain firemen of the state department of conservation and natural resources;''.

Amend the summary of the bill, second and third lines, by deleting: ''firemen to spouses of deceased retired highway patrolmen.'' and inserting ''firemen.''.

Assemblyman Dini moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 446.

Motion carried.

Bill ordered transmitted to the Senate.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 19, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 17 C, which is attached to and hereby made a part of this report.

SUE WAGNER	SHELLEY E. BERKLEY
HELEN A. FOLEY	JAMES A. STONE
JAMES H. BILBRAY	MIKE MALONE
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 17C.

Amend section 1, page 2, by inserting between lines 9 and 10:

"*6. If the attorney of the party for whom the offer of judgment is made collects a contingent fee for his services, the amount of any attorney's fees awarded to the party to whom the offer is made must be deducted from that contingent fee.*".

Amend section 1, page 2, line 10, by deleting "*6.*" and inserting "*7.*".

Assemblyman Berkley moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 19.

Remarks by Assemblyman Berkley.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Stone and Malone:

Assembly Bill No. 680—An Act relating to taxation; increasing the rates of the local school support tax and the city-county relief tax; and providing other matters properly relating thereto.

Assemblyman Stone moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

Remarks by Assemblyman May.

Assemblyman May moved that Assemblyman Stone's motion be amended and that Assembly Bill No. 680 be referred to the Committee on Taxation.

Assemblymen Stone, Malone and Bogaert requested a roll call on Assemblyman May's motion.

Roll call on Assemblyman May's motion:

YEAS—23.

NAYS—Beyer, Bilyeu, Bogaert, Brady, DuBois, Fay, Francis, Ham, Humke, Joerg, Kerns, Malone, Nicholas, Redelsperger, Stone, Thomas, Zimmer—17.

Absent—Chaney.

Not voting—Stewart.

The motion having received a majority, Mr. Speaker declared it carried.

Assemblyman Stone's motion carried, as amended.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that the vote whereby the report of the first Committee on Conference concerning Senate Bill No. 19 was adopted be rescinded.

Remarks by Assemblyman Stewart.

Motion carried.

Assemblyman Coffin moved that Assembly Bills Nos. 293, 414 and Senate Bill No. 201 be taken from the Chief Clerk's desk and re-referred to the Committee on Transportation.

Motion carried.

Assemblyman May moved that Senate Bill No. 405 be taken from the Chief Clerk's desk and re-referred to the Committee on Taxation.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 21, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 65, which was returned from enrollment for the purpose of effecting a technical amendment.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 55.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 55.

Assemblyman Kovacs moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

Assemblyman Jeffrey moved that Senate Bill No. 86 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblyman Banner moved that Assembly Bill No. 126 be returned from enrollment.

Motion carried.

Assemblyman Banner moved that the vote whereby Assembly Bill No. 126 was passed be rescinded.

Remarks by Assemblyman Banner.

Motion carried.

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 65 was passed be rescinded.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 86.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Senate Bill No. 86:

YEAS—42.

NAYS—None.

Senate Bill No. 86 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 126.

Bill read third time.

The following amendment was proposed by the Committee on Labor and Management:

Amendment No. 1329.

Amend the bill as a whole by deleting sections 1 through 4 and inserting:

"Section 1. Chapter 338 of NRS is hereby amended by adding thereto a new section which shall read as follows:

The labor commissioner may adopt such regulations as are necessary to enable him to carry out his duties pursuant to the provisions of this chapter.".

Amend the bill as a whole by renumbering section 5 as section 2.

Assemblyman Banner moved the adoption of the amendment.

Remarks by Assemblyman Banner.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Senate Bill No. 65.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 65:

YEAS—42.

NAYS—None.

Senate Bill No. 65 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 1:30 p.m.

Assembly in recess at 12:17 p.m.

ASSEMBLY IN SESSION

At 3:01 p.m.
Mr. Speaker presiding.
Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 21, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 675.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 223, 375, 456.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Blakemore, Jacobsen and Faiss as a first Committee on Conference concerning Senate Bill No. 136.

MAE LOFTHOUSE
Assistant Secretary of the Senate

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Labor and Management, to which was referred Senate Bill No. 466, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES J. BANNER, *Chairman*

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 136, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendments of the Assembly be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 22 C, which is attached to and hereby made a part of this report.

RICHARD E. BLAKEMORE	JAMES J. BANNER
LAWRENCE E. JACOBSEN	STEVEN C. FRANCIS
WILBUR FAISS	BOB THOMAS
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 22 C.

Amend sec. 24.5, page 7, line 7, by deleting the open bracket.

Amend sec. 24.5, page 7, line 8, by deleting "state.] *of those*" and inserting "state.".

Amend sec. 24.5, page 7, by deleting line 9.

Amend sec. 25, page 7, by deleting lines 27 through 31 and inserting:

"3. May appoint in the unclassified service of the state no more than five persons, engaged in management, who report directly to the manager or an assistant manager. [The board shall designate these positions, and may not change them without the approval of the advisory personnel commission.] *All persons employed by the system in direct marketing and sales are in the unclassified service of the state.* These persons are entitled to receive".

Amend sec. 25.3, page 8, line 13, by deleting the open bracket.

Amend sec. 25.3, page 8, by deleting lines 17 through 23 and inserting: "manner contrary to the provisions of chapter 284 of NRS. *The manager and all employees of the system are exempt from the provisions of chapter 284 of NRS relating to recruiting, testing and hiring.*".

Amend sec. 25.3, page 8, line 24, by deleting "[12.] *11.*" and inserting "12.".

Amend sec. 65.3, pages 28 and 29, by deleting lines 31 through 43 on page 28 and lines 1 and 2 on page 29 and inserting:

"Sec. 65.3. (Deleted by amendment.)".

Assemblyman Banner moved that the Assembly adopt the report of the first Committee on Conference concerning Senate Bill No. 136.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 361, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 24 C, which is attached to and hereby made a part of this report.

ALAN H. GLOVER	MARVIN M. SEDWAY
WILBUR FAISS	BOB L. KERNS
LAWRENCE E. JACOBSEN	KENNETH K. REDELSPERGER
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 24 C.

Amend section 1, page 1, line 13, by deleting "*use,*" and inserting "*occupancy,*".

Assemblyman Sedway moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 361.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Senate Bill No. 19, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 17 C, which is attached to and hereby made a part of this report.

SUE WAGNER	SHELLEY L. BERKLEY
HELEN A. FOLEY	JAMES A. STONE
JAMES H. BILBRAY	MIKE MALONE
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 17C.

Amend section 1, page 2, by inserting between lines 9 and 10:

"*6. If the attorney of the party for whom the offer of judgment is made collects a contingent fee for his services, the amount of any attorney's fees awarded to the party to whom the offer is made must be deducted from that contingent fee.*".

Amend section 1, page 2, line 10, by deleting "*6.*" and inserting "*7.*".

Assemblyman Stewart moved that the Assembly do not adopt the report of the first Committee on Conference concerning Senate Bill No. 19, that a second conference be requested, and that Mr. Speaker appoint a second Committee on Conference consisting of three members to meet with a like committee of the Senate.

Remarks by Assemblyman Stewart.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Bilyeu, Stewart and Humke as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Senate Bill No. 19.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Senate Bill No. 168, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Assembly be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 18 C, which is attached to and hereby made a part of this report.

KEITH ASHWORTH	D. ROGER BREMNER
JAMES I. GIBSON	JOHN W. MARVEL
WILLIAM J. RAGGIO	JOSEPH E. DINI, JR.
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 18C.

Amend sec. 3, page 1, by deleting line 17 and inserting:

"341.100 1. The board may appoint a manager [and technical".

Amend sec. 3, page 2, line 1, by deleting "supervisor," and inserting "supervisor,]".

Amend sec. 3, page 2, by deleting lines 3 through 5 and inserting:

"2. The manager [and technical supervisor of the board] and his deputy are in the unclassified service of the state.".

Amend sec. 3, page 2, line 6, by deleting "[3.] *2.*" and inserting "*3.*".

Amend sec. 3, page 2, line 14, by deleting "*3.*" and inserting "*4.*".

Assemblyman Marvel moved that the Assembly adopt the report of the second Committee on Conference concerning Senate Bill No. 168.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 126.

Bill read third time.

Remarks by Assemblyman Banner.

Roll call on Assembly Bill No. 126:

YEAS—42.

NAYS—None.

Assembly Bill No. 126 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 335.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Assembly Bill No. 335:

YEAS—38.
NAYS—Berkley, Stone, Swain, Thomas—4.

Assembly Bill No. 335 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Assembly Bill No. 648.
Bill read third time.
Remarks by Assemblymen Bremner and Coffin.
Roll call on Assembly Bill No. 648:

YEAS—30.
NAYS—Bourne, Brady, Coffin, DuBois, Francis, Ham, Kovacs, Malone, May, Stewart, Thomas, Thompson—12.

Assembly Bill No. 648 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Senate Bill No. 466.
Bill read third time.
Remarks by Assemblyman Banner.
Roll call on Senate Bill No. 466:

YEAS—42.
NAYS—None.

Senate Bill No. 466 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that all rules be suspended and Assembly Bill No. 348 be declared an emergency measure under the Constitution and placed on third reading and final passage.
Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 348.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Assembly Bill No. 348:

YEAS—39.
NAYS—Malone, Stone, Zimmer—3.

Assembly Bill No. 348 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 557, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 21 C, which is attached to and hereby made a part of this report.

HELEN A. FOLEY	DANNY L. THOMPSON
SUE WAGNER	MARVIN M. SEDWAY
BOB RYAN	ERIK BEYER
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 21 C.

Amend section 1, page 2, line 20, by deleting: "*, but not to exceed $42,000 annually,*".

Assemblyman Coffin moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 557.

Remarks by Assemblyman Coffin.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Vergiels, Banner, Craddock, Swain, Sader, Fay, Bourne, Kovacs, Price, Sedway, Jeffrey, Perry, Nevin, Thompson, Berkley, Stone, Coffin, Bogaert, May, Thomas, Collins, Bremner, Brady, Dini, Ham, Joerg, DuBois, Francis, Redelsperger, Bilyeu, Beyer, Kerns, Malone, Marvel, Stewart, Bergevin, Nicholas, Humke, Getto, Zimmer, Chaney and Schofield:

Assembly Resolution No. 17—Commending Lavelle I. Johnson for her long and dedicated service to the legislature.

WHEREAS, Lavelle I. Johnson was born and raised in Heppner, Oregon; and

WHEREAS, Mrs. Johnson and her husband, Leo K., moved to Nevada several years ago and became involved in mining in the Gold Hill and Winnemucca areas; and

WHEREAS, Lavelle came to work for the legislature as a bill clerk in 1959; now a supervisor of bill clerks, she has not missed a session or special session in 24 years; and

WHEREAS, Lavelle's wonderful cheerfulness and earnest dedication to her work has been an inspiration to all who have been fortunate enough to have worked with her; and

WHEREAS, Mornings have been brightened for many members of the Nevada legislature over the years due to Lavelle's conscientious efforts to ensure that fresh donuts and coffee were readily available; now, therefore, be it

Resolved by the Assembly of the State of Nevada, That the members of the Assembly of the 62nd session of the Nevada legislature express their appreciation to and commend Lavelle I. Johnson for her outstanding service to this legislature and the people of the State of Nevada; and be it further

Resolved, That a copy of this resolution be prepared and transmitted forthwith by the legislative counsel to Lavelle I. Johnson.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assemblymen Price, Craddock, Bourne and Kerns.

Resolution adopted unanimously.

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

Assembly in recess at 3:28 p.m.

ASSEMBLY IN SESSION

At 3:31 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Legislative Functions, to which was referred Senate Concurrent Resolution No. 55, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

EDWARD J. KOVACS, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 55.
Assemblyman Kovacs moved the adoption of the resolution.
Remarks by Assemblyman Kovacs.
Resolution adopted unanimously.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 567, consisting of the undersigned members, has met, and reports that:

No decision was reached, and recommends the appointment of a second Committee on Conference to consist of three members for the further consideration of the bill.

KEITH ASHWORTH	JAMES W. SCHOFIELD
WILLIAM J. RAGGIO	ROBERT E. PRICE
ALAN H. GLOVER	BARBARA ZIMMER
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Schofield moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 567.
Remarks by Assemblyman Schofield.
Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen May, Redelsperger and Bergevin as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 567.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 4:45 p.m.

Assembly in recess at 3:36 p.m.

ASSEMBLY IN SESSION

At 5:43 p.m.
Mr. Speaker presiding.
Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 21, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 126, 140, 218, 232, 577, 678.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 426, 445, 615, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 446 and requests a conference, and appointed Senators Gibson, Glaser and Neal as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 361.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 557.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 567 and requests a second conference, and appointed Senators Robinson, Neal and Glaser as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 567.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 481.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Senate Bill No. 19.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Senate Bill No. 136.

MAE LOFTHOUSE
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 481.

Assemblyman Jeffrey moved that the bill be referred to the Committee on Commerce.

Motion carried.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Dini, Bourne and Kerns as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 446.

Assemblyman Jeffrey moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 5:58 p.m.

ASSEMBLY IN SESSION

At 6:11 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman May moved that Senate Bill No. 440 be taken from the Chief Clerk's desk and placed on the General File.

Remarks by Assemblyman May.

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 445.

The following Senate amendments were read:

Amendment No. 963.

Amend sec. 15, page 13, by deleting lines 7 and 8 and inserting: "*written order asigned by the chief medical officer.*".

au06sec. 19, page 15, by deleting lines 7 and 8 and inserting: "*written order signed by the chief medical officer.*".

Amendment No. 1170.

Amend sec. 14, page 12, by deleting lines 20 and 21 and inserting:

"*(b) In an institutional pharmacy, a registered nurse licensed to practice professional nursing or a licensed practical nurse, in multiple doses*".

Amendment No. 1333.

Amend sec. 4.5, pages 4 and 5, by deleting lines 12 through 44 on page 4 and lines 1 through 13 on page 5 and inserting:

"Sec. 4.5. (Deleted by amendment.)".

Amend sec. 14, page 12, by deleting lines 8 through 10.

Amend sec. 18, page 14, line 3, by deleting "*possessed and*" and inserting "possessed and".

Amend sec. 18, page 14, by deleting lines 34 through 36 and inserting:

"[8. A registered nurse who holds a certificate from the state board of nursing and a certificate from the state board of pharmacy permitting him to prescribe dangerous drugs.

9. A person designated by the director of the department of prisons for the purpose of executing a person who has been sentenced to death.]".

Amend the bill as a whole by adding a new section designated section 24, following section 23, to read as follows:

"Sec. 24. 1. Section 14 of this act shall becme effective at 12:01 a.m. on July 1, 1983.

2. Section 18 of this act shall become effective at 12:02 a.m. on July 1, 1983.".

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendments to Assembly Bill No. 445.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 615.

The following Senate amendment was read:

Amendment No. 1327.

Amend sec. 3, pages 1 and 2, by deleting lines 10 through 19, on page 1 and lines 1 through 41 on page 2 and inserting:

"689A.030 A policy of health insurance must not be delivered or issued for delivery to any person in this state unless it otherwise complies with this code, and complies with the following:

1. The entire money and other considerations therefor must be expressed therein;

2. The time when the insurance takes effect and terminates must be expressed therein;

3. It must purport to insure only one person, except that a policy may insure, originally or by subsequent amendment, upon the application of an adult member of a family, who shall be deemed the policyholder, any two or more eligible members of that family, including the husband, wife, dependent children, from the time of birth as provided in NRS 689A.043, or any children under a specified age which must not exceed 19 years except as provided in NRS 689A.045, and any other person dependent upon the policyholder;

4. The style, arrangement and overall appearance of the policy must not give undue prominence to any portion of the text, and every printed portion of the text of the policy and of any endorsements or attached papers must be plainly printed in light-faced type of a style in general use, the size of which must be uniform and not less than 10 points with a lower case unspaced alphabet length not less than 120 points (the "text" includes all printed matter except the name and address of the insurer, the name or the title of the policy, the brief description, if any, and captions and subcaptions);

5. The exceptions and reductions of indemnity must be set forth in the policy and, other than those contained in NRS 689A.050 to 689A.290, inclusive, must be printed, at the insurer's option, with the benefit provision to which they apply or under an appropriate caption, such as "Exceptions" or "Exceptions and Reductions," except that if an exception or reduction specifically applies only to a particular benefit of the policy, a statement of that exception or reduction must be included with the benefit provision to which it applies;

6. Each such form, including riders and endorsements, must be identified by a number in the lower left-hand corner of the first page thereof;

7. The policy must not contain any provision purporting to make any portion of the charter, rules, constitution or bylaws of the insurer a part of the policy unless that portion is set forth in full in the policy, except in the case of the incorporation of or reference to a statement of rates or classification of risks, or short-rate table filed with the commissioner;

8. The policy must provide benefits for expense arising from home health care or health supportive services if that care or service was prescribed by a physician and would have been covered by the policy if performed in a health and care facility as defined in NRS 449.007; and

9. The policy must provide, at the option of the applicant, benefits

for expenses incurred for the treatment of alcohol and drug abuse as provided in NRS 689A.046.''.

Amend sec. 4, page 3, by deleting lines 2 through 30 and inserting:

''689B.030 Each group health insurance policy must contain in substance the following provisions:

1. A provision that, in the absence of fraud, all statements made by applicants or the policyholders or by an insured person shall be deemed representations and not warranties, and that no statement made for the purpose of effecting insurance voids the insurance or reduces its benefits unless the statement is contained in a written instrument signed by the policyholder or the insured person, a copy of which has been furnished to him or his beneficiary.

2. A provision that the insurer will furnish to the policyholder for delivery to each employee or member of the insured group a statement in summary form of the essential features of the insurance coverage of that employee or member and to whom benefits thereunder are payable. If dependents are included in the coverage, only one statement need be issued for each family.

3. A provision that to the group originally insured may be added from time to time eligible new employees or members or dependents, as the case may be, in accordance with the terms of the policy.

4. A provision for benefits for expense arising from home health care or health supportive services if such care or service was prescribed by a physician and would have been covered by the policy if performed in a health and care facility as defined in NRS 449.007.

5. A provision for benefits payable for expenses incurred for the treatment of the abuse of alcohol or drugs, as provided in NRS 689B.036.''.

Amend sec. 4, page 3, line 31, by deleting ''7.'' and inserting ''*6.*''.

Amend sec. 5, pages 3 and 4, by deleting lines 35 through 43 on page 3 and lines 1 through 43 on page 4 and inserting:

''695B.180 A contract for hospital, medical or dental services must not be entered into between a corporation proposing to furnish or provide any one or more of the services authorized under this chapter and a subscriber:

1. Unless the entire consideration therefor is expressed in the contract.

2. Unless the times at which the benefits or services to the subscriber take effect and terminate are stated in a portion of the contract above the evidence of its execution.

3. If the contract purports to entitle more than one person to benefits or services, except for family contracts issued under NRS 695B.190, group contracts issued under NRS 695B.200, and blanket contracts issued under NRS 695B.220.

4. Unless every printed portion and any endorsement or attached papers are plainly printed in type of which the face is not smaller than 10 points.

5. Except for group contracts and blanket contracts issued under NRS 695B.220, unless the exceptions of the contract are printed with greater prominence than the benefits to which they apply.

6. Except for group contracts and blanket contracts issued under NRS 695B.230, unless, if any portion of the contract purports, by reason of the circumstances under which an illness, injury or disablement is incurred to reduce any service to less than that provided for the same illness, injury or disablement incurred under ordinary circumstances, that portion is printed in boldface type and with greater prominence than any other text of the contract.

7. If the contract contains any provisions purporting to make any portion of the charter, constitution or bylaws of a nonprofit corporation a part of the contract unless that portion is set forth in full in the contract.

8. Unless the contract contains a provision for benefits payable for expenses incurred for the treatment of the abuse of alcohol or drugs, as provided in NRS 695B.194.

9. If the contract provides coverage for services rendered by a hospital, health and care facility or other similar services, unless the contract provides coverage for such services when rendered by a hospice.

[9.] *10.* Unless the contract for hospital service contains in blackface type, not less than 10 points, the following provisions:

This contract does not restrict or interfere with the right of any person entitled to hospital service and care to select the contracting hospital or to make a free choice of his attending physician, who must be the holder of a valid and unrevoked physician's license and a member of, or acceptable to, the attending staff and board of directors of the hospital in which the hospital services are to be provided.''.

Amend the bill as a whole by adding a new section designated section 7, following section 6, to read as follows:

''Sec. 7. Sections 3 to 5, inclusive, of this act shall become effective at 12:01 a.m. on July 1, 1983.''.

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendment to Assembly Bill No. 615.

Motion carried.

Bill ordered enrolled.

Assembly Bill No. 426.

The following Senate amendments were read:

Amendment No. 1308.

Amend section 1, page 1, line 2, by deleting ''and 3'' and inserting ''to 3.5, inclusive,''.

Amend sec. 2, page 1, by deleting lines 3 through 11 and inserting:

''Sec. 2. *The landlord of any mobile home park which contains more than 100 mobile home lots shall provide an answering service for emergencies to the tenants of the park on a 24-hour basis.*''.

Amend sec. 3, page 1, line 12, by deleting ''*15*'' and inserting ''*20*''.

Amend sec. 3, page 1, line 13, by deleting ''*20*'' and inserting ''*35*''.

Amend sec. 3, page 1, line 14, after ''*landlord*'' and inserting ''*or his agent*''.

Amend sec. 3, page 2, line 2, by deleting "*landlord shall:*" and inserting: "*landlord or his agent shall*".

Amend sec. 3, page 2, by deleting line 3.

Amend sec. 3, page 2, line 4, by deleting "*(b) Post*" and inserting "*post*".

Amend the bill as a whole by adding a new section designated section 3.5, following section 3, to read as follows:

"Sec. 3.5. *Any landlord who violates any of the provisions of NRS 118.230 to 118.340, inclusive:*

1. For the first time, shall pay a civil penalty of not more than $250.

2. For the second time, shall pay a civil penalty of not more than $500.

3. For the third time or more, shall pay a civil penalty of not more than $1,000.".

Amend sec. 4, page 2, line 26, by deleting "park ," and inserting "park".

Amend sec. 4, page 2, by deleting lines 27 through 29 and inserting: "and his authorized agent.".

Amend sec. 5, page 3, by deleting lines 2 and 3.

Amend the bill as a whole by deleting section 6 and renumbering sections 7 and 8 as sections 6 and 7.

Amend sec. 7, page 3, line 39, by deleting "furnishes . [, except" and inserting "furnishes, except".

Amend sec. 7, page 3, line 41, by deleting the closed bracket.

Amend sec. 8, page 4, line 35, by deleting "*30*" and inserting "*15*".

Amend the bill as a whole by deleting sections 9 and 10 and renumbering section 11 as section 8.

Amend the bill as a whole by deleting section 12 and renumbering section 13 as section 9.

Amend the bill as a whole by deleting sections 14 and 15.

Amend the bill as a whole by adding new sections designated sections 10 and 11, following section 15, to read as follows:

"Sec. 10. NRS 108.290 is hereby amended to read as follows:

108.290 1. Except as provided in subsection 2, any lien in excess of $750 acquired as provided in NRS 108.270 to 108.360, inclusive, is a secondary lien when the motor vehicle, airplane, motorcycle, motor or airplane equipment, or trailer in question is the subject of a secured transaction.

2. The lien of a trailer park keeper may not exceed [$200] *$2,000* or the total amount due and unpaid [for 4 months] for rentals and utilities, whichever is the lesser.

Sec. 11. NRS 118.340 is hereby repealed.".

Amend the title of the bill, first line, by deleting "full-time caretakers" and inserting: "answering services for emergencies".

Amend the title of the bill, third and fourth lines, by deleting: "requiring landlords to pay interest on tenants' deposits;".

Amendment No. 1335.

Amend section 2 of the bill to read as follows:

"Sec. 2. *1. Except as otherwise provided in subsection 2, the landlord of any mobile home park which contains more than 100 mobile home lots shall provide an answering service for emergencies to the tenants of the park on a 24-hour basis.*

2. If the landlord or his agent is available to tenants for emergencies on a 24-hour basis, such an answering service is not required.".

Assemblyman Stewart moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 426.

Motion carried.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce, to which was referred Senate Bill No. 481, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN E. JEFFREY, *Chairman*

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 146, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be receded from.

JAMES I. GIBSON	D. ROGER BREMNER
LAWRENCE E. JACOBSEN	JOHN W. MARVEL
WILLIAM J. RAGGIO	ROBERT M. SADER
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Bremner moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 146.

Motion carried.

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 195, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 20 C, which is attached to and hereby made a part of this report.

JAMES I. GIBSON	D. ROGER BREMNER
NORMAN D. GLASER	JOHN W. MARVEL
LAWRENCE E. JACOBSEN	ROBERT M. SADER
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 20 C.

Amend section 1, page 1, line 3, by deleting "$215,000" and inserting "$250,000".

Assemblyman Bremner moved that the Assembly adopt the report of

the second Committee on Conference concerning Assembly Bill No. 195.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 681—An Act making an appropriation from the state general fund to the legislative commission for the support of interim studies; and providing other matters properly relating thereto.

Assemblyman Bremner moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 440.

Bill read third time.

The following amendment was proposed by the Committee on Taxation:

Amendment No. 1187.

Amend section 1, pages 1 and 2, by deleting lines 2 through 19 on page 1 and lines 1 through 23 on page 2 and inserting:

"365.565 The tax derived from aviation fuel must be distributed, after payment of refund claims as provided in NRS 365.370, quarterly from the account for taxes on aviation fuel in the following manner:

1. There must be transferred to the Civil Air Patrol fund, hereby created , [in the state treasury,] from the account for taxes on aviation fuel, for the ensuing fiscal year, a sum not to exceed $30,000 or the total amount in the account, whichever is [lesser.] *less.* The amount so transferred must be expended for the support of Nevada Wing [96] *27001* of the Civil Air Patrol and [must be] *is* in addition to and separate from any legislative appropriations made to the [Civil Air Patrol] fund for the support of [Nevada Wing 96 of the Civil Air Patrol.] *that wing.*

2. Money in the [Civil Air Patrol fund must] *fund may* be paid out only upon claims certified by the wing commander and the wing [executive] *finance* officer and approved by the state board of examiners, in the same manner as other claims against the state are paid.

3. Money in the [Civil Air Patrol fund must] *fund may* be used only by [Nevada Wing 96 of the Civil Air Patrol in carrying out its crash, rescue and emergency operations, and organization and training therefor, and in defraying the cost of headquarters rental and purchase, repair and maintenance of emergency and training equipment. No money in the Civil Air Patrol] *the wing to:*

(a) Carry out its search, rescue and emergency operations;

(b) Maintain a headquarters; and

(c) Purchase, maintain and repair emergency and training equipment.

4. *No money in the* fund may be expended for [the purchase] *:*

(a) The purchase of any aircraft [.] *;*
(b) Travel expenses;
(c) Training expenses; or
(d) Fuel for vehicles or aircraft used in an official mission of the United States Air Force.

5. Any person who makes a claim against the fund must reimburse the fund if payment for the claim is also received from another source.

[2.] *6.* There must be remitted to the [county treasurers of the respective counties] *treasurer of each county* such portion of the remaining balance in the account for taxes on aviation fuel as is proportional to the excise taxes remitted by dealers or users in [each] *his* county.''.

Amend sec. 8, page 4, line 5, by deleting ''Section'' and inserting ''Sections 1 and''.

Amend the title of the bill, second line, by deleting: ''motor vehicle fuel used in aircraft;'' and inserting ''aviation fuel;''.

Amend the summary of the bill to read: ''Changes permitted use of tax derived from aviation fuel.''

Assemblyman May moved the adoption of the amendment.

Remarks by Assemblyman May.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

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

Assembly in recess at 6:19 p.m.

ASSEMBLY IN SESSION

At 6:46 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 21, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 458 and respectfully requests your honorable body to concur in said amendment.

MAE LOFTHOUSE
Assistant Secretary of the Senate

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 446, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 23 C, which is attached to and hereby made a part of this report.

JAMES I. GIBSON	JOSEPH E. DINI, JR.
NORMAN D. GLASER	CHARLES G. BOURNE
JOE NEAL	BOB L. KERNS
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 23C.

Amend the bill as a whole by renumbering section 1 as section 2 and adding a new section, designated section 1, preceding section 1, to read as follows:

"Section 1. NRS 286.421 is hereby amended to read as follows:

286.421 1. Except as limited in this section, any participating public employer may pay on behalf of its employees the employee contributions required by subsection 1 of NRS 286.410. [The] *Except as provided in subsection 9, the* state board of examiners shall elect on behalf of all state agencies which have employees within the classified service of the state, as established by chapter 284 of NRS, whether to pay such contributions. The public employees' retirement board shall elect whether to pay such contributions on behalf of its employees in the unclassified service. The board of regents shall elect whether to pay such contributions on behalf of the professional staff of the University of Nevada System.

2. Payment of employee contributions must be:

(a) Made in lieu of equivalent basic salary increases or cost of living increases, or both; or

(b) Counterbalanced by equivalent reductions in [employee] *employees'* salaries.

3. The average compensation from which the amount of benefits payable pursuant to this chapter is determined must be increased with respect to each month beginning after June 30, 1975, by 50 percent of the contribution made by the public employer, and must not be less than it would have been if contributions had been made by the member and the public employer separately.

4. Employee contributions made by a public employer must be deposited in either the public employees' retirement fund or the police and firemen's retirement fund as is appropriate. These contributions must not be credited to the individual account of the member and may not be withdrawn by the member upon his termination.

5. The membership of an employee who became a member on or after July 1, 1975, and all contributions on whose behalf were made by his public employer must not be canceled upon the termination of his service.

6. If an employer elects to pay the basic contribution on behalf of its employees, the total contribution rate is, in lieu of the amounts specified in subsection 1 of NRS 286.410 and subsection 1 of NRS 286.450:

(a) For all employees except police officers and firemen, 15 percent of compensation.

(b) For police officers and firemen, 18 percent of compensation.

Except as provided in subsection 7, a public employer which has

elected to pay the basic contribution on behalf of its employees may, to the extent that the respective percentage rates of such contribution are increased above the rates set forth in this section on May 19, 1975, require each employee to pay one-half of the amount of such increase as provided in subsection 2.

7. For the purposes of adjusting salary increases and cost of living increases or of salary reduction, the total contribution must be equally divided between employer and employee.

8. An election by an employer to begin or to discontinue paying the basic contribution on behalf of its employees becomes effective at the beginning of the next fiscal year or established payroll adjustment period.

9. Public employers other than the State of Nevada [must] *shall* pay the entire employee contribution for those employees who contribute to the police and firemen's retirement fund on and after July 1, 1981, and may before that date pay all or part of this contribution. *The State of Nevada shall pay the entire contribution on and after July 1, 1983, for:*

(a) Members of the Nevada highway patrol;

(b) Inspectors or field agents of the motor carrier division of the department of motor vehicles; and

(c) Firemen in the division of forestry of the state department of conservation and natural resources,

who contribute to the police and firemen's retirement fund.''.

Amend the bill as a whole by renumbering section 2 as section 4 and adding a new section, designated section 3, following section 1, to read as follows:

''Sec. 3. Any reduction in salary resulting from the payment by the State of Nevada of an employee's contributions to the police and firemen's retirement fund pursuant to subsection 9 of NRS 286.421 does not affect the grade set for the employee's position in the pay plan for the classified service.''.

Amend sec. 2, page 2, line 30, by deleting ''This'' and inserting: ''Section 2 of this''.

Amend the title of the bill, first line, after ''retirement;'' by inserting: ''requiring the State of Nevada to pay the employees' contribution for certain police officers and firemen;''.

Assemblyman Dini moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 446.

Remarks by Assemblyman Dini.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 481.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Senate Bill No. 481:

YEAS—39.
NAYS—None.
Absent—Collins, Price—2.
Not voting—Humke.

Senate Bill No. 481 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 681.

Bill read third time.

Remarks by Assemblyman Bremner.

Roll call on Assembly Bill No. 681:

YEAS—40.
NAYS—None.
Absent—Collins, Price—2.

Assembly Bill No. 681 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 458.

The following Senate amendments were read:

Amendment No. 1237.

Amend sec. 2, page 1, by deleting lines 6 and 7 and inserting:

"1. "Peace officer" means:

(a) Sheriffs of counties and of metropolitan police departments and their deputies;

(b) Personnel of the Nevada highway patrol; and

(c) Marshals and policemen of cities and towns.".

Amend sec. 4, page 2, line 1, by deleting "1. If" and inserting: "Except as otherwise provided in section 8 of this act:

1. If".

Amend sec. 38, page 2, by deleting line 35 and inserting:

"Sec. 8. 1. An investigation of a peace officer may be conducted in response to a complaint alleging that an officer has engaged in activities which could result in punitive action.

2. If a person who files a complaint against an officer submits to a polygraphic examination and the results of that examination indicate that the person examined is telling the truth about the alleged activities, the officer against whom the complaint is made must submit to a polygraphic examination concerning such activities.

3. If the officer refuses to submit to a polygraphic examination required by this section:

(a) A law enforcement agency may take disciplinary action against that officer; and

(b) An investigator may make a notation of the refusal in his report.

4. Evidence of any refusal by a peace officer to submit to a polygraphic examination required by this section is admissible if introduced by any governmental body or agency in this state at any subsequent hearing, trial or other judicial or administrative proceeding.''.

Amend sec. 10, page 3, by deleting lines 2 through 7 and inserting: ''not apply to any investigation which concerns alleged criminal activities.''.

Amend sec. 11, page 3, line 15, by deleting: ''other law enforcement agencies'' and inserting: ''his own or any other law enforcement agency''.

Amend the bill as a whole, by deleting section 13.

Amendment No. 1315.

Amend section 1, page 1, line 2, by deleting ''13,'' and inserting ''12,''.

Amend sec. 4, page 2, by deleting lines 4 through 15 and inserting:

''Sec. 4. (Deleted by amendment.)''.

Amend sec. 8, page 2, line 40, by deleting ''a complaint alleging'' and inserting ''an allegation''.

Amend sec. 8, page 2, line 42, by deleting ''files a complaint'' and inserting: ''makes such an allegation''.

Amend sec. 8, page 3, line 1, by deleting ''alleged'' and inserting ''purported''.

Amend sec. 8, page 3, line 2, by deleting ''complaint'' and inserting ''allegation''.

Amendment No. 1340.

Amend sec. 4, page 2, by deleting line 4 and inserting:

''Sec. 4. Except as otherwise provided in section 8 of this act:

1. If a peace officer refuses to submit to a polygraphic examination:

(a) No law enforcement agency may take any disciplinary action against such officer; and

(b) No investigator may make a notation of such refusal in his report, absent independent evidence of unlawful conduct by the peace officer.

2. Evidence of any refusal by a peace officer to submit to a polygraphic examination is not admissible if introduced by any governmental body or agency in this state at any subsequent hearing, trial or other judicial or administrative proceeding.''.

Assemblyman Nevin moved that the Assembly concur in the Senate amendments to Assembly Bill No. 458.

Remarks by Assemblyman Nevin.

Motion carried.

Bill ordered enrolled.

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

Assembly in recess at 6:57 p.m.

ASSEMBLY IN SESSION

At 7:25 p.m.
Mr. Speaker presiding.
Quorum present.

CALL OF THE ASSEMBLY

Assemblyman Bremner moved a call of the Assembly.
Motion carried.
Time, 7:26 p.m.
Mr. Speaker directed the Sergeant-at-Arms to close the doors.
Roll called.
All present except Assemblymen Collins and Thompson.
Mr. Speaker directed the Sergeant-at-Arms to bring in the absent members.
Roll called.
All present.

CALL OF THE ASSEMBLY DISPENSED WITH

At 7:34 p.m. Assemblyman Bremner moved that further proceedings under the call of the Assembly dispensed with.
Motion carred.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Senate Bill No. 479 be taken from the Chief Clerk's desk and placed on the Second Reading File.
Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 479.
Bill read second time.
The following amendment was proposed by the Committee on Ways and Means:
Amendment No. 1345.
Amend section 1, page 1, by deleting lines 2 through 7 and inserting:
"387.1235 Local funds available are the proceeds of the local school support tax imposed by chapter 374 of NRS [.] *and whatever portion of the tax on property levied by the board of county commissioners may be prescribed by law for that fiscal year.* The department of taxation shall furnish an estimate of".
Amend sec. 2, page 1, by deleting line 18.
Amend sec. 2, page 2, line 1, by deleting "*immediately*" and inserting "2. Immediately".
Amend sec. 2, page 2, by deleting lines 8 through 12.
Amend the bill as a whole by deleting section 3 and inserting:
"Sec. 3. (Deleted by amendment.)".
Amend sec. 5, page 3, by deleting lines 15 through 31 and inserting:

Carson City School District	$2,018	$2,085
Churchill County School District	1,963	2,030

Clark County School District	$1,856	$1,918
Douglas County School District	1,845	1,909
Elko County School District	2,032	2,101
Esmeralda County School District	3,242	3,358
Eureka County School District	4,445	4,602
Humboldt County School District	1,975	2,042
Lander County School District	2,030	2,098
Lincoln County School District	3,123	3,229
Lyon County School District	2,224	2,300
Mineral County School District	2,269	2,346
Nye County School District	1,970	2,037
Pershing County School District	2,062	2,133
Storey County School District	3,457	3,573
Washoe County School District	1,777	1,843
White Pine County School District	2,432	2,520''.

Amend sec. 6, page 3, by deleting line 34 and inserting: ''school year is $19,500 for the fiscal year 1983-84 and $20,500 for the''.

Amend sec. 6, page 4, by deleting lines 5 through 25 and inserting:

''Carson City	31	$604,500	32	$656,000
Churchill County	16	312,000	17	348,500
Clark County	509	9,925,500	533	10,926,500
Douglas County	20	390,000	22	451,000
Elko County	24	468,000	26	533,000
Esmeralda County	2	39,000	2	41,000
Eureka County	2	39,000	2	41,000
Humboldt County	12	234,000	13	266,500
Lander County	7	136,500	7	143,500
Lincoln County	5	97,500	6	123,000
Lyon County	17	331,500	18	369,000
Mineral County	7	136,500	7	143,500
Nye County	14	273,000	15	307,500
Pershing County	4	78,000	4	82,000
Storey County	2	39,000	2	41,000
Washoe County	179	3,490,500	189	3,874,500
White Pine County	9	175,500	10	205,000
Subtotal	860	$16,770,000	905	$18,552,500
Reserved by State Board of Education	25	487,500	25	512,500
Total	885	$17,257,500	930	$19,065,000''.

Amend sec. 7, page 4, by deleting lines 35 and 36 and inserting:

''For the fiscal year 1983-84 $135,467,270
For the fiscal year 1984-85 137,489,203''.

Amend the bill as a whole by adding a new section, designated section 9.5, following section 9, to read as follows:

''Sec. 9.5. 1. In addition to the annual levy required by NRS 387.195, each board of county commissioners shall levy for the support of the public schools within the county school district during the fiscal year 1983-84, 33 cents on each $100 of assessed valuation.

2. In addition to the annual levy required by NRS 387.195, each board of county commissioners shall levy for the support of the public schools within the county school district during the fiscal year 1984-85, 35 cents on each $100 of assessed valuation or such lesser rate as may be fixed by the state board of examiners pursuant to subsection 4.

3. The additional levy made pursuant to subsections 1 and 2 is the portion of the total tax levy required to be counted as local funds available for that fiscal year.

4. If it appears to the state board of examiners that the unappropriated balance of the state general fund will approximate $40,000,000 on July 1, 1984, and can be maintained at or near that amount by the levy of a lesser rate than 35 cents on each $100 of assessed valuation to provide local funds available for the support of the respective school districts, the board shall fix the rate for the fiscal year 1984-85 at the lowest whole number of cents which the board believes will suffice to maintain the unappropriated balance at or near $40,000,000 throughout that fiscal year.''.

Assemblyman Dini moved the adoption of the amendment.

Remarks by Assemblyman Dini.

Assemblymen Dini, Stone and Bourne requested a roll call on Assemblyman Dini's motion.

Remarks by Assemblyman Bourne.

Roll call on Assemblyman Dini's motion:

YEAS—21.

NAYS—Bergevin, Beyer, Bilyeu, Bogaert, Brady, Collins, DuBois, Francis, Getto, Ham, Humke, Joerg, Kerns, Malone, Marvel, Nicholas, Redelsperger, Stewart, Stone, Thomas, Zimmer—21.

The motion having failed to receive a majority, Mr. Speaker declared the amendment lost.

Assemblyman Bremner moved that all rules be suspended and Senate Bill No. 479 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Assemblyman Bremner moved that Senate Bill No. 479 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 479.

Bill read third time.

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

Assembly in recess at 7:40 p.m.

ASSEMBLY IN SESSION

At 8:02 p.m.
Mr. Speaker presiding.
Quorum present.

Assemblyman Perry moved that Senate Bill No. 479 be taken from the General File and placed on the Chief Clerk's desk.
Motion carried.

Senate Bill No. 440.
Bill read third time.
Remarks by Assemblyman May.
Roll call on Senate Bill No. 440:
YEAS—42.
NAYS—None.

Senate Bill No. 440 having received a constitutional majority, Mr. Speaker declared it passed, as amended.
Bill ordered transmitted to the Senate.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 8:50 p.m.

Assembly in recess at 8:14 p.m.

ASSEMBLY IN SESSION

At 9:39 p.m.
Mr. Speaker presiding.
Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 594, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOSEPH E. DINI, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 21, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted the report of the second Committee on Conference concerning Assembly Bill No. 146.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the second Committee on Conference concerning Assembly Bill No. 195.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 446.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bills Nos. 390, 433, 440.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 56.

MAE LOFTHOUSE
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 56.

Assemblyman Jeffrey moved the adoption of the resolution.

Remarks by Assembyman Jeffrey.

Resolution adopted unanimously.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 441, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

BOB RYAN	CHARLES G. BOURNE
JAMES H. BILBRAY	JAMES A. STONE
WILLIAM H. HERNSTADT	MARVIN M. SEDWAY
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Bourne moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 441.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 86, 136, 155, 163, 233, 254, 367, 369, 380, 416, 418, 497, 541, 562, 569, 570, 579, 595, 612, 613, 616, 623, 631, 636, 642, 653; Senate Bills Nos. 43, 109, 162, 207, 236, 271, 281, 339, 366, 395, 404, 470; Assembly Joint Resolution No. 26; Senate Joint Resolutions Nos. 13, 26; Assembly Concurrent Resolutions Nos. 47, 49, 57, 60, 61, 62, 63, 64.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Bogaert, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Craig Madole.

On request of Assemblyman Kovacs, the privilege of the floor of the Assembly Chamber for this day was extended to Ms. Joan Kovacs and Jeri Winter.

On request of Assemblyman Nicholas, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Kay Lee Nicholas.

On request of Assemblyman Bourne, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Candy Bourne and Mr. Gabriel Bourne.

Assemblyman Jeffrey moved that the Assembly adjourn until Sunday, May 22, 1983, at 10 a.m.

Motion carried.

Assembly adjourned at 9:42 p.m.

Approved: JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

THE ONE HUNDRED AND TWENTY-SIXTH DAY

CARSON CITY (Sunday), May 22, 1983

Assembly called to order at 10:26 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplains, The Reverend William J. Helmstetter and Assemblyman Sedway.

We are gathered here today, hopefully, to come together to bring some peace and tranquility to allow us to reach our conclusions with a sense of togetherness and holiness so that we may join together in our deliberations in a manner which will foster a feeling of kindness, brotherhood and peace.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Jeffrey 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, May 21, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bills Nos. 270, 335, 348, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 426 and requests a conference, and appointed Senators Hickey, Bilbray and Hernstadt as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 66.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 321, which was returned from enrollment for the purpose of effecting a technical amendment.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bill No. 86.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the second Committee on Conference concerning Senate Bill No. 168.

JANICE L. THOMAS
Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Brady, Zimmer and DuBois:

Assembly Resolution No. 18—Requesting the return of Assembly Bill No. 672 from the senate.

Assemblyman Brady moved that the resolution be referred to the Committee on Legislative Functions.

Motion carried.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Fay, Stone and Nevin as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 426.

SECOND READING AND AMENDMENT

Assembly Bill No. 594.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 1026.

Amend section 1, page 1, line 2, by deleting "6" and inserting "4".

Amend the bill as a whole by deleting sections 2 and 3, and renumbering sections 4 through 6 as sections 2 through 4.

Amend sec. 5, pages 2 and 3, by deleting lines 16 through 43 on page 2 and line 1 on page 3 and inserting:

(l) Deduction of dues for the recognized employee organization;

(m) Protection of employees in the bargaining unit from discrimination because of participation in recognized employee organizations consistent with the provisions of this chapter;

(n) No-strike provisions consistent with the provisions of this chapter;

(o) Grievance and arbitration procedures for resolution of disputes relating to interpretation or application of collective bargaining agreements;

(p) General savings clauses;

(q) Duration of collective bargaining agreements;

(r) Safety;

(s) Procedures for reduction in work force;

(t) Procedures for transfer of teachers;

(u) Time for teacher preparation; and

(v) Procedures for disciplining students.

2. Those subject matters which are not within the scope of mandatory bargaining and which are reserved to the local government employer without negotiation include:

(a) Subject to paragraph (t) of subsection 1, the right to hire, direct, assign or transfer an employee, but excluding the right to assign or transfer an employee as a form of discipline.

(b) The right to reduce in force or lay off any employee because of lack of work or lack of money, subject to paragraph (s) of subsection 1.

(c) Subject to paragraph (u) of subsection 1, the right".

Amend the bill as a whole by deleting sections 7 through 10 and renumbering section 11 as section 5.

Amend the bill as a whole by deleting sections 12 through 14 and renumbering sections 15 and 16 as sections 6 and 7.

Amend sec. 15, page 8, line 2, by deleting the open bracket.

Amend sec. 15, page 8, by deleting line 4 and inserting:

"1. [After April 1 and before June 1,] *If the parties cannot*".

Amend sec. 16, page 8, line 24, by deleting the bracket.

Amend sec. 16, page 8, line 25, by deleting the bracket.

Amend sec. 16, page 8, line 27, by deleting "by May 1," and inserting "[by May 1,]".

Amend sec. 16, page 8, by deleting line 34 and inserting: "except as provided in subsections 5, 6 and 9. The".

Amend sec. 16, page 9, line 13, by deleting the bracket.

Amend sec. 16, page 9, by deleting line 29 and inserting:

"7. Except as provided in subsection 8, any factfinder".

Amend sec. 16, page 10, line 3, by deleting "[8.] *7.*" and inserting "8.".

Amend sec. 16, page 10, line 12, by deleting the bracket.

Amend sec. 16, page 10, line 20, by deleting the bracket.

Amend the bill as a whole by deleting sections 17 through 21.

Amend the title of the bill by deleting the second through sixth lines and inserting: "increasing the scope of mandatory bargaining; and providing other matters properly relating thereto.".

Assemblyman Jeffrey moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that the vote whereby Senate Bill No. 321 was passed be rescinded.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 321.

Bill read third time.

Remarks by Assemblymen Coffin and Jeffrey.

Roll call on Senate Bill No. 321:

YEAS—42.

NAYS—None.

Senate Bill No. 321 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 270.

The following Senate amendments were read:

Amendment No. 1316.

Amend sec. 12, page 5, line 16, by deleting: "chapter ; [, except" and inserting "chapter, except".

Amend sec. 12, page 5, line 17, by deleting the closing bracket.

Amend sec. 12, page 5, lines 19 and 20, by deleting the brackets.

Amend sec. 12, page 5, line 22, by deleting: "appointment . [, except" and inserting "appointment, except".

Amend sec. 12, page 5, line 23, by deleting the closing bracket.

Amend the bill as a whole by adding new sections, designated sections 40 through 43, following section 39, to read as follows:

"Sec. 40. 1. As soon as practicable after July 1, 1983, the governor shall appoint members to the board of naturopathic medicine as follows:

(a) Two members to terms which expire on July 1, 1986, one qualified pursuant to subsection 2 and one qualified pursuant to subsection 3 of NRS 633A.150;

(b) Two members to terms which expire on July 1, 1985, one qualified pursuant to subsection 4 and one qualified pursuant to subsection 3 of NRS 633A.150; and

(c) One member to a term which expires on July 1, 1984, who is qualified pursuant to subsection 2 of NRS 633A.150.

2. The terms of the present members of the board of naturopathic medicine expire upon the appointment and qualification of their successors.

Sec. 41. Each license issued pursuant to NRS 633A.240 before July 1, 1983, expires on January 1, 1984.

Sec. 42. The provisions of chapter 633A which require supervision by a physician of a licensee do not apply to persons licensed after July 1, 1983.

Sec. 43. 1. This section and sections 12, 40, 41 and 42 of this act shall become effective on July 1, 1983.

2. The remaining sections of this act shall become effective on January 1, 1984.".

Amendment No. 1343.

Amend section 1, page 1, line 4, by deleting "*naturopathic physician*" and inserting "*naturopath*".

Amend section 1, page 1, line 7, by deleting "*medicine*" and inserting "*healing*".

Amend the bill as a whole by deleting sections 1.5 through 7 and inserting:

"Secs. 1.5-7. (Deleted by amendment.)".

Amend sec. 8, pages 3 and 4, by deleting lines 11 through 43 on page 3 and lines 1 through 31 on page 4 and inserting:

"633A.100 1. "Unprofessional conduct" includes:

(a) Willfully making a false or fraudulent statement or submitting a forged or false document in applying for a license to practice naturopathic healing.

(b) Failure of a licensee to designate his practice in the professional use of his name by using the term naturopath.

(c) Directly or indirectly giving to or receiving from any person any

fee, commission, rebate or other form of compensation for sending, referring or otherwise inducing a person to communicate with a naturopath in his professional capacity or for any professional services not actually and personally rendered, except as provided in subsection 2.

(d) Employing, directly or indirectly, any suspended or unlicensed person in the practice of naturopathic healing, or the aiding or abetting of any unlicensed person to practice naturopathic healing.

(e) Advertising the practice of naturopathic healing in a manner which does not conform to the guidelines established by board regulation.

(f) Engaging in any:

(1) Professional conduct which is intended to deceive or which the board by regulation has determined is unethical; or

(2) Medical practice harmful to the public or any conduct detrimental to the public health, safety or morals which does not constitute gross or repeated malpractice or professional incompetence.

(g) Administering, dispensing or prescribing any controlled substance as defined in chapter 453 of NRS, or any dangerous drug as defined in chapter 454 of NRS.

(h) Habitual drunkenness or habitual addiction to the use of a controlled substance as defined in chapter 453 of NRS.

(i) Performing, assisting or advising an abortion or in the injection of any liquid silicone substance into the human body.

(j) Willful disclosure of a communication privileged under a statute or court order.

(k) Willful disobedience of the regulations of the state board of health or of the board of naturopathic healing.

(l) Willfully representing with the purpose of obtaining compensation or other advantages for himself or for any other person that a manifestly incurable disease or injury or other manifestly incurable condition can be permanently cured.

(m) Using any designation other than as authorized in this chapter , [or] representing himself as being in the practice of a healing art for which he is not licensed [.] *or representing that he practices any other healing art while he practices pursuant to this chapter.*

(n) Practicing obstetrics, performing major or minor surgery or invasive procedures except venipuncture for the withdrawal of blood for diagnosis or using X-ray or radium treatments.

(o) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of or conspiring to violate any prohibition made in this chapter.

2. It is not unprofessional conduct:

(a) For persons holding valid licenses under this chapter to practice naturopathic healing in partnership under a partnership agreement or in a corporation or an association authorized by law, or to pool, share, divide or apportion the fees and money received by them or by the partnership, corporation or association in accordance with the partnership agreement or the policies of the board of directors of the corporation or association; or

(b) For two or more persons holding valid licenses under this chapter

to receive adequate compensation for concurrently rendering professional care to a patient and dividing a fee, if the patient has full knowledge of this division and if the division is made in proportion to the services performed and the responsibility assumed by each.''.

Amend the bill as a whole by deleting sections 9 through 11 and inserting:

''Secs. 9-11. (Deleted by amendment.)''.

Amend sec. 12, page 5, by deleting lines 13 through 40 and inserting:

''633A.150 1. The board of naturopathic healing consists of five members appointed by the governor.

2. [Three] *Two* members of the board must:

(a) Be licensed under this chapter, except the initial members who must be licensed as naturopaths in another state;

(b) Be actually engaged in the practice of naturopathic healing in this state, except the initial members who must have been so engaged in another state; and

(c) Have been so engaged in this state for more than 2 years preceding their appointment, except the initial members who must have been so engaged in another state.

3. [One member must be a physician] *Two members must be physicians* licensed under chapter 630 *or 633* of NRS and [a resident] *residents* of Nevada.

4. The remaining member must be a resident of the State of Nevada:

(a) Not licensed in any state to practice any healing art; and

(b) Not actively engaged in the administration of any health and care facility.

5. Before entering upon the duties of his office, each member of the board shall take:

(a) The constitutional oath of office; and

(b) An oath that he is legally qualified to serve on the board.

6. As used in this section ''health and care facility'' has the meaning ascribed to it in NRS 449.007.

7. Upon expiration of his term of office, a member must continue to serve until his successor is appointed and qualifies.

8. If a vacancy occurs on the board, a member is absent''.

Amend the bill as a whole by deleting section 13 and inserting:

''Sec. 13. (Deleted by amendment.)''.

Amend sec. 14, page 7, line 15, by deleting ''[The'' and inserting ''The''.

Amend sec. 14, page 7, line 16, by deleting the bracket.

Amend sec. 15, page 7, line 28, by deleting ''[healing] *medicine*'' and inserting ''healing''.

Amend the bill as a whole by deleting section 16 and inserting:

''Sec. 16. (Deleted by amendment.)''.

Amend the bill as a whole by deleting sections 17 through 26 and inserting:

''Secs. 17-26. (Deleted by amendment.)''.

Amend sec. 27, pages 10 and 11, by deleting lines 36 through 43 on page 10 and line 1 on page 11 and inserting:

"633A.440 1. Service of process made under this chapter must be personal or by registered or certified mail with return receipt requested, addressed to the naturopath at his last known address, as [indicated on] *shown in* the records of the board, if possible. If personal service cannot be made and if mail notice is returned undelivered, the secretary of the board shall [cause] *publish a* notice of *the* hearing [to be published] once a week for 4 consecutive weeks in a newspaper published in the county of the [physician's] *naturopath's* last known address or, if no newspaper is published in that".

Amend the bill as a whole by deleting sections 28 through 39 and inserting:

"Secs. 28-39. (Deleted by amendment.)".

Amend the bill as a whole by deleting sections 42 and 43 and inserting:

"Secs. 42 and 43. (Deleted by amendment.)".

Amend the title of the bill to read as follows:

"An Act relating to naturopathy; expanding the educational requirements for a license to practice naturopathic medicine; making various other changes; and providing other matters properly relating thereto.".

Amend the summary of the bill to read as follows: "Makes various changes regarding naturopathy.".

Assemblyman Jeffrey moved that the Assembly do not concur in the Senate amendments to Assembly Bill No. 270.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 348.

The following Senate amendment was read:

Amendment No. 1347.

Amend sec. 4, page 2, after line 26 by inserting:

"5. For the purpose of rehabilitating the Stewart facility, if other money is also available for this purpose ..... $297,800".

Amend the bill as a whole by deleting sections 13 through 17 and renumbering section 18 as section 13.

Assemblyman Bremner moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 348.

Motion carried.

Bill ordered transmitted to the Senate.

Assembly Bill No. 335.

The following Senate amendments were read:

Amendment No. 1229.

Amend section 1, page 1, line 7, by deleting "possible".

Amend sec. 3, page 2, line 11, by deleting "*to conserve*" and inserting "*on*".

Amend sec. 3, page 2, line 14, after "*with*" and inserting "*large-scale*".

Amend sec. 3, page 2, line 16, by deleting "*and extraction*".

Amend sec. 3, page 2, line 18, by deleting:

"*Two persons who are*" and inserting: "*One person who is*".

Amend sec. 3, page 2, line 19, after "*prospecting;*" by deleting "*and*".

Amend sec. 3, page 2, between lines 19 and 20, by inserting:

"*(e) One person who is familiar with the development of geothermal resources; and*".

Amend sec. 3, page 2, line 20, by deleting "*(e)*" and inserting "*(f)*".

Amend sec. 3, page 2, by deleting lines 21 and 22.

Amend sec. 3, page 2, line 23, by deleting "*4.*" and inserting "*3.*".

Amend sec. 8.5, page 3, line 42, after "*have*" by inserting: "*substantial experience as an administrator or*".

Amend sec. 9.5, page 4, line 31, by deleting "*division*" and inserting "*department*".

Amend sec. 10, page 4, line 42, by deleting "*to conserve*" and inserting "*on*".

Amend sec. 52, page 22, by deleting line 26 and inserting: "producer. The [tax rate is 5] *administrative fee is 50* mills per barrel of oil".

Amend sec. 55, page 23, line 20, by deleting "*to conserve*" and inserting "*on*".

Amend the bill as a whole by renumbering section 57 as section 58 and adding a new section, designated section 57, following section 56, to read as follows:

"Sec. 57. NRS 362.100 is hereby amended to read as follows:

362.100 *1.* The department shall:

[1.] *(a)* Investigate and determine the net proceeds of all operating mines and assess them as provided in NRS 362.100 to 362.240, inclusive.

[2.] *(b)* Appraise and assess all reduction, smelting and milling works, plants and facilities, whether or not associated with a mine, and all supplies, machinery, equipment, apparatus, facilities, buildings, structures and other improvements used in connection with any mining, reduction, smelting or milling operation as provided in chapter 361 of NRS.

2. As used in this section, "net proceeds of all operating mines" includes the proceeds of all:

(a) Operating mines;

(b) Operating oil and gas wells;

(c) Operations extracting geothermal steam for profit; and

(d) Operations extracting minerals from natural solutions.".

Amend the bill as a whole by renumbering sections 58 through 60 as sections 68 through 70 and adding new sections, designated sections 59 through 67, following section 57, to read as follows:

"Sec. 59. NRS 534.050 is hereby amended to read as follows:

534.050 1. Except as provided in subsection 2, every person desiring to sink or bore a well in any basin or portion therein in the

state designated by the state engineer, as provided for in this chapter shall first make application to and obtain from the state engineer a permit to appropriate the water, in accordance with the provisions of chapter 533 of NRS relating to the appropriation of the public waters, before performing any work in connection with the boring or sinking of the well.

2. Upon written application and a showing of good cause, the state engineer may issue a written waiver of the requirements of subsection 1 for exploratory wells to be drilled to determine the availability of water or the quality of available water.

3. In other basins or portions of basins which have not been designated by the state engineer no application or permit to appropriate water is necessary until after the well is sunk or bored and water developed. Before any diversion of water may be made from the well, the appropriator must make application to and obtain from the state engineer, in accordance with the provisions of chapter 533 of NRS, a permit to appropriate the water.

4. Upon written application and a showing of good cause, the state engineer may issue a written waiver of the requirements of subsection 3, to allow use of water in constructing a highway or in drilling a well for gas, oil or [geothermal steam or] hot water.

5. Any person using water after a permit has been withdrawn, denied, canceled, revoked or forfeited is guilty of a misdemeanor. Each day of violation of this subsection constitutes a separate offense and is separately punishable.

Sec. 60. NRS 534.180 is hereby amended to read as follows:

534.180 1. Except as provided in subsection 2 and as to the furnishing of any information required by the state engineer, this chapter does not apply in the matter of obtaining permits for the development and use of underground water from a well for domestic purposes where the draught does not exceed a daily maximum of 1,800 gallons.

2. The state engineer may designate any ground water basin or portion thereof as a basin in which the registration of a well is required if the well is drilled for the development and use of underground water for domestic purposes. A driller who drills such a well shall register the information required by the state engineer within 10 days after the completion of the well. The state engineer shall make available forms for the registration of such wells and shall maintain a register of those wells.

3. The state engineer may require the plugging of such a well which is drilled on or after July 1, 1981, at any time not sooner than 1 year after water can be furnished to the site by:

(a) A political subdivision of this state; or

(b) A public utility whose rates and service are regulated by the public service commission of Nevada,

but only if the charge for making the connection to the service is less than $200.

4. [Exploration holes drilled only to collect geochemical, geological or geophysical data are not wells] *Geothermal wells are not* subject to

the provisions of this chapter or the regulations of the state engineer, except as provided in chapter 534A of NRS.

Sec. 61. Chapter 534A of NRS is hereby amended by adding thereto the provisions set forth as sections 62 to 66, inclusive, of this act.

Sec. 62. *The owner of real property owns the rights to the underlying geothermal resources unless they have been reserved by or conveyed to another person.*

Sec. 63. *1. No person may drill or operate a geothermal well without first obtaining a permit from the executive director of the department of minerals and complying with the conditions of the permit.*

2. An application must contain such information as the executive director requires by regulation.

Sec. 64. *1. Upon approval by the state engineer, the executive director of the department of minerals may issue a permit to drill or operate a geothermal well if he determines that issuance of a permit is consistent with:*

(a) The policies specified in NRS 445.132 and 445.401;

(b) The purposes of chapters 533 and 534 of NRS; and

(c) The limitations established pursuant to NRS 445.247.

2. A permit issued pursuant to this section must include any conditions:

(a) Deemed necessary by the executive director to carry out the purposes of this section; and

(b) Imposed by the state engineer.

Sec. 65. *1. The commission on mineral resources shall impose and collect a fee from persons who have been granted permits to drill or operate geothermal wells. The fee must be deposited in the fund for regulation of geothermal wells, which is hereby created in the state treasury as a special revenue fund.*

2. The fee may be based in part on the number of acres of land being used by the person who holds the permit.

3. The commission and the department of minerals may use the money in the fund to administer the provisions of this chapter.

Sec. 66. *The commission on mineral resources may adopt regulations necessary for carrying out the provisions of this chapter.*

Sec. 67. NRS 534A.040 is hereby amended to read as follows:

534A.040 Any [water and steam encountered during geothermal exploration] *consumptive use of water brought to the surface outside of a geothermal well* is subject to the appropriation procedures of chapters 533 and 534 of NRS.''.

Amend sec. 67, page 28, by deleting lines 32 and 33 and inserting:

''Sec. 79. Each filing pursuant to NRS 517.050, 517.080, 517.110, 517.140, 517.170, 517.200 and 517.230 which is made during June of 1983 or the fiscal years 1983-1984 and 1984-1985 must''.

Amend the bill as a whole by renumbering sections 61 through 63 as sections 73 through 75 and adding new sections designated sections 71 and 72, following section 60, to read as follows:

''Sec. 71. A person holding a permit from the state engineer on July 1, 1983, authorizing the drilling or operation of a geothermal well

is not required to obtain a permit as would otherwise be required by section 63 of this act. If a permit issued by the state engineer before July 1, 1983, expires, the holder must obtain a permit from the executive director of the department of minerals before continuing such drilling or operation.

Sec. 72. On July 1, 1983, the state controller shall transfer all of the money in the oil and gas conservation fund which has not been committed for expenditure for the expenses of the 1982-83 fiscal year to the fund for the department of minerals.''.

Amend sec. 70, page 29, by deleting line 32 and inserting:

''(a) Sections 1 to 51, inclusive, 53 to 78, inclusive, 80, 81, and 82 of''.

Amend sec. 70, page 29, after line 35 by inserting:

''(c) Section 79 of this act shall become effective on June 1, 1983.''.

Amend the title of the bill, second line, by deleting ''to conserve'' and inserting ''on''.

Amendment No. 1231.

Amend sec. 53, page 22, by deleting lines 28 through 41 and inserting:

''Sec. 53. (Deleted by amendment.)''.

Assemblyman Dini moved that the Assembly concur in the Senate amendments to Assembly Bill No. 335.

Remarks by Assemblyman Dini.

Motion carried.

Bill ordered enrolled.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 12 noon.

Assembly in recess at 10:42 a.m.

ASSEMBLY IN SESSION

At 4:03 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Senate Bill No. 392, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROGER BREMNER, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 22, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 681, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 270 and requests

a conference and appointed Senators Ashworth, Glover and Faiss as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 348 and requests a conference, and appointed Senators Horn, Hickey and Hernstadt as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 441.

JANICE L. THOMAS
Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 681.

The following Senate amendment was read:

Amendment No. 1348.

Amend section 1, line 2, by deleting "$20,000" and inserting "$50,000".

Assemblyman Bremner moved that the Assembly do not concur in the Senate amendment to Assembly Bill No. 681.

Motion carried.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Bremner moved that Assembly Bill No. 443 be taken from the Chief Clerk's desk and re-referred to the Committee on Ways and Means.

Motion carried.

Assemblyman Bremner moved that Assembly Joint Resolution No. 3 be taken from the Chief Clerk's desk and re-referred to the Committee on Education.

Motion carried.

Assemblyman Bremner moved that Senate Joint Resolution No. 7 be taken from the Chief Clerk's desk and re-referred to the Committee on Taxation.

Assemblyman May moved that Assemblyman Bremner's motion be amended and that Senate Joint Resolution No. 7 be taken from the Chief Clerk's desk and re-referred to the Committee on Judiciary.

Assemblyman May's motion carried.

Assemblyman Bremner's motion carried, as amended.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 371, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendments of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 16 C, which is attached to and hereby made a part of this report.

JAMES I. GIBSON
KEITH ASHWORTH
WILLIAM J. RAGGIO
Senate Committee on Conference

PAUL W. MAY
JAMES W. SCHOFIELD
LOUIS W. BERGEVIN
Assembly Committee on Conference

Amendment No. 16 C.

Amend the bill as a whole by adding new sections, designated sections 14.3, 14.5 and 14.7, following section 14, to read as follows:

"Sec. 14.3. NRS 370.170 is hereby amended to read as follows:

370.170 Except as otherwise provided in this chapter, it is unlawful for any person to give, sell or offer to give or sell any cigarettes in this state unless there is affixed to each of the packages, packets or containers an adhesive Nevada cigarette revenue stamp or a similar stamp affixed by a metered stamping machine approved by and registered with the department in the following denominations: On packages containing 20 cigarettes or less, [15] *10* cents per package; and on packages containing over 20 cigarettes, [15] *10* cents additional for each 20 cigarettes or fraction thereof contained in any such package.

Sec. 14.5. NRS 370.260 is hereby amended to read as follows:

370.260 1. All taxes and license fees imposed by this chapter, less any refunds granted as provided by law, must be paid to the department in the form of remittances payable to the department.

2. The department shall:

(a) As compensation to the state for the costs of collecting the taxes and license fees, transmit each month such sum as the legislature specifies from the remittances made to it pursuant to subsection 1 during the preceding month to the state treasurer for deposit to the credit of the department. The deposited money must be expended by the department in accordance with its work program.

(b) [From the remittances made to it pursuant to subsection 1 during the preceding month, less the amount transmitted pursuant to paragraph (a), transmit each month the portion of the tax which is equivalent to:

(1) Five cents per package, on packages containing 20 cigarettes or less; and

(2) Five cents additional for each 20 cigarettes or fraction thereof contained in any package containing over 20 cigarettes,

to the state treasurer for deposit to the credit of the account for the tax on cigarettes in the state general fund.

(c)] Transmit the balance of the payments each month to the state treasurer for deposit to the credit of the cigarette tax account in the intergovernmental trust fund.

[(d)] *(c)* Report to the state controller monthly the amount of collections.

3. The money in the cigarette tax account is hereby appropriated to Carson City and to each of the counties in proportion to their respective populations. The amount in the account which was collected during the preceding month must be apportioned by the department and distributed by the state controller as follows:

(a) In counties having a population of 5,000 or more:

(1) If there are no incorporated cities within the county, the entire amount must go into the county treasury.

(2) If there is one incorporated city within the county the money must be apportioned between the city and the county on the basis of the population of the city and the population of the county excluding the population of the city.

(3) If there are two or more incorporated cities within the county, the entire amount must be apportioned among the cities in proportion to their respective populations.

(b) In counties having a population of less than 5,000:

(1) If there are no incorporated cities or unincorporated towns within the county, the entire amount must go into the county treasury.

(2) If there is one incorporated city or one unincorporated town within the county the money must be apportioned between the city or town and the county on the basis of the population of the city or town and the population of the county excluding the population of the city or town.

(3) If there are two or more incorporated cities or unincorporated towns or an incorporated city and an unincorporated town within the county, the entire amount must be apportioned among the cities or towns in proportion to their respective populations.

(c) In Carson City the entire amount must go into the city treasury.

4. For the purposes of this section, "unincorporated town" means only those towns governed by town boards organized pursuant to NRS 269.016 to 269.019, inclusive.

Sec. 14.7. NRS 370.350 is hereby amended to read as follows:

370.350 1. Except as provided in subsection 3, a tax is hereby levied and imposed upon the use of cigarettes in this state.

2. The amount of the use tax is as follows: On packages containing 20 cigarettes or less, [15] *10* cents per package; and on packages containing over 20 cigarettes, [15] *10* cents additional for each 20 cigarettes or fraction thereof contained in any such package.

3. The use tax does not apply where:

(a) Nevada cigarette revenue stamps have been affixed to cigarette packages as required by law.

(b) Tax exemption is provided for in this chapter.".

Amend sec. 17, page 5, line 5, after "property" by inserting: ", or such lesser rate as may be fixed by the state board of examiners pursuant to section 21 of this act,".

Amend the bill as a whole by adding new sections, designated sections 19 through 24, following section 18, to read as follows:

"Sec. 19. Section 14 of chapter 187, Statutes of Nevada 1983, is hereby amended to read as follows:

374.190 *1.* An excise tax is hereby imposed on the storage, use or other consumption in a county of tangible personal property purchased from any retailer for storage, use or other consumption in the county at the rate of 1.5 percent of the sales price of the property.

2. The tax is imposed on all property which was acquired out of

state in a transaction which would have been a taxable sale if it had occurred within this state.

Sec. 20. Sections 1 to 7.5, inclusive, of chapter 293, Statutes of Nevada 1983, are hereby repealed.

Sec. 21. On or before May 23, 1984, the state board of examiners shall project the unappropriated balance of the state general fund as of July 1, 1984, using all relevant information known to it. The board shall then fix the rate of tax levied pursuant to subsection 2 of section 17 of this act thus:

Projected balance		Rate in cents per
At least	But less than	$100 of assessed valuation
$41,000,000	$44,000,000	4 cents
44,000,000	47,000,000	3 cents
47,000,000	—	2 cents

Sec. 22. 1. The following amounts are hereby contingently appropriated from the respective funds to provide salary increases for the respective groups of employees, for the fiscal year 1984-85, according to the projection by the state board of examiners made pursuant to section 21 of this act:

(a) If the projected balance is at least $42,000,000 but less than $45,000,000:

(1) From the state general fund to the state board of examiners for:

Classified employees of the state $469,000
Unclassified employees of the state 68,000
Classified and professional employees of the University of Nevada 358,000

(2) From the state highway fund to the state board of examiners for positions in the department of motor vehicles which are supported from that fund and for deputy attorneys general assigned to that department and to the department of transportation:

Classified employees $60,000
Unclassified employees 2,400

(3) For the state general fund to the legislative fund for employees of the legislative counsel bureau $15,586

(b) If the projected balance is at least $45,000,000 but less than $48,000,000:

(1) From the state general fund to the state board of examiners for:

Classified employees of the state $938,000
Unclassified employees of the state 136,000
Classified and professional employees of the University of Nevada $716,000

(2) From the state highway fund to the state board of examiners for positions in the department of motor vehicles which are supported from that fund and for deputy attorneys general assigned to that department and to the department of transportation:

Classified employees $120,000
Unclassified employees 4,800

(3) For the state general fund to the legislative fund for employees of the legislative counsel bureau 31,171

(c) If the projected balance is at least $48,000,000:

(1) From the state general fund to the state board of examiners for:

Classified employees of the state	$1,407,000
Unclassified employees of the state	204,000
Classified and professional employees of the University of Nevada	1,074,000

(2) From the state highway fund to the state board of examiners for positions in the department of motor vehicles which are supported from that fund and for deputy attorneys general assigned to that department and to the department of transportation:

Classified employees	$180,000
Unclassified employees	7,200

(3) For the state general fund to the legislative fund for employees of the legislative counsel bureau 46,758

2. The state board of examiners shall allocate the appropriations, made to it if any, among the respective departments, commissions and agencies of the state in such proportion as to enable each to pay to its classified, professional and unclassified employees, except any whose salaries have been retained, the percentage of increase, if any, in their respective salaries specified in the applicable line of the preceding tables.

3. For the purpose of this allocation, the employees of the judicial department shall be deemed unclassified.

4. If the total appropriations are not sufficient to provide the specified increase, the appropriations must be prorated and the increase reduced proportionately.

Sec. 23. 1. The following amounts are hereby contingently appropriated as an additional appropriation to the state distributive school fund, for the fiscal year 1984-85, beyond that provided by Senate Bill No. 479 of this session, according to the projection by the state board of examiners made pursuant to section 21 of this act:

Projected balance		
At least	But less than	Appropriation
$43,000,000	$46,000,000	$1,000,000
46,000,000	49,000,000	2,000,000
49,000,000	—	3,000,000

2. This additional appropriation, if any, must be apportioned in the same proportions per pupil as exist among the basic support guarantees per pupil expressed in Senate Bill No. 479.

Sec. 24. 1. This section and section 19 of this act shall become effective upon passage and approval.

2. Sections 14.3, 14.5, 14.7 and 20 of this act shall become effective on July 1, 1985.

3. The remaining sections of this act shall become effective on July 1, 1983.

4. Sections 1 to 14, inclusive, of this act expire by limitation on July 1, 1985.''.

Assemblyman May moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 371.

Motion carried.

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 426, consisting of the undersigned members, has met, and reports that:

No decision was reached, and recommends the appointment of a second Committee on Conference, to consist of three members, for the further consideration of the bill.

THOMAS J. HICKEY	ROBERT W. (BOB) FAY
JAMES H. BILBRAY	JAMES A. STONE
WILLIAM H. HERNSTADT	LEONARD V. NEVIN
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Stewart moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 426.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Berkley, Sedway and Malone as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 426.

Mr. Speaker appointed Assemblymen Bremner, Dini and Sader as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 348.

Mr. Speaker appointed Assemblymen Bourne, Redelsperger and Jeffrey as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 270.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 22, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 426 and requests a second conference, and appointed Senators Wagner, Foley and Wilson as a second Committee on Conference to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 426.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the second Committee on Conference concerning Assembly Bill No. 371.

JANICE L. THOMAS
Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Jeffrey moved that all rules be suspended and Assembly Bill No. 594 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 392.

Bill read third time.

Remarks by Assemblyman Dini.

Roll call on Senate Bill No. 392:

YEAS—41.
NAYS—None.
Absent—Perry.

Senate Bill No. 392 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 594.

Bill read third time.

Remarks by Assemblyman Jeffrey.

Roll call on Assembly Bill No. 594:

YEAS—41.
NAYS—None.
Absent—Perry.

Assembly Bill No. 594 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 5 p.m.

Assembly in recess at 4:12 p.m.

ASSEMBLY IN SESSION

At 6:21 p.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 270, consisting of the undersigned members, has met, and reports that:

No decision was reached, and recommends the appointment of a second Committee on Conference, to consist of three members, for the further consideration of the bill.

KEITH ASHWORTH	CHARLES G. BOURNE
ALAN H. GLOVER	KENNETH K. REDELSPERGER
WILBUR FAISS	JOHN E. (JACK) JEFFREY
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Bourne moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 270.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Thomas, Stone and Kerns as a second Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 270.

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 426, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendments of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 26 C, which is attached to and hereby made a part of this report.

SUE WAGNER	SHELLY L. BERKLEY
HELEN A. FOLEY	MARVIN M. SEDWAY
THOMAS R. C. WILSON	MIKE MALONE
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 26 C.

Amend section 1, page 1, line 2, by deleting "2 to" and inserting "3 and".

Amend sec. 2, page 1, by deleting lines 4 through 10 and inserting:

"Sec. 2 (Deleted by amendment.)".

Amend sec. 3, page 1, line 12 by deleting "*35*" and inserting "*25*".

Amend sec. 7, page 4, line 6 by deleting "*15*" and inserting "*30*".

Amend sec. 8, page 4, line 30, by deleting "*The landlord*".

Amend sec. 8, page 4, by deleting lines 31 through 33.

Amend the title of the bill, first and second lines, by deleting: "requiring answering services for emergencies in parks with more than 100 mobile home lots;".

Assemblyman Berkley moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 426.

Motion carried.

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 567, consisting of the undersigned members, has met, and reports that:

It has agreed to recommend that the amendment of the Senate be concurred in.

It has agreed to recommend that the bill be further amended as set forth in Amendment No. 25 C, which is attached to and hereby made a part of this report.

ROBERT E. (BOB) ROBINSON	PAUL W. MAY
JOE NEAL	KENNETH K. REDELSPERGER
NORMAN D. GLASER	LOUIS W. BERGEVIN
Senate Committee on Conference	*Assembly Committee on Conference*

Amendment No. 25 C.

Amend the bill as a whole by deleting section 1 and line 9 on page 2 and inserting:

"Sections 1 through 3. (Deleted by amendment.)".

Amend sec. 4, page 2, by deleting lines 30 through 33 and inserting:

"Sec. 4. (Deleted by amendment.)".

Amend the title of the bill to read:

"An Act relating to libraries; specially requiring the creation of a county library district for the town of Pahrump; and providing other matters properly relating thereto.".

Amend the summary of the bill to read: "Provides for district library in Pahrump.".

Assemblyman May moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 567.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 22, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 412, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 681 and requests a conference, and appointed Senators Faiss, Horn and Wagner as a first Committee on Conference to meet with a like committee of the Assembly.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 270 and requests a second conference, and appointed Senators Robinson, Townsend and Ryan as a second Committee on Conference to meet with a like committee of the Assembly for further consideration of Assembly Bill No. 270.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the second Committee on Conference concerning Assembly Bill No. 426.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the second Committee on Conference concerning Assembly Bill No. 567.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bill No. 93.

JANICE L. THOMAS
Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 412.

The following Senate amendments were read:

Amendment No. 1349.

Amend sec. 32, page 11, by deleting lines 14 and 15 and inserting:

"Sec. 32. 1. NRS 244.185, 266.305, 268.085 and 711.010 are hereby repealed.

2. NRS 711.100 is hereby repealed.".

Amend the bill as a whole by adding a new section designated section 34, following section 33, to read as follows:

"Sec. 34. Subsection 2 of section 32 of this act shall become effective at 12:01 a.m. on July 1, 1983.".

Amendment No. 1334.

Amend sec. 9, page 3, by deleting line 1 and inserting:

"Sec. 9. *1. Except with respect to reasonable promotional activities, a person shall not*".

Amend sec. 9, page 3, line 2, by deleting "*its subscribers at*" and inserting: "*subscribers of television services at*".

Amend sec. 9, page 3, by deleting lines 10 through 16 and inserting: "*doing business including, without limitation, expenses for labor, rent, depreciation, interest, maintenance, delivery of the service, franchise fees, taxes, insurance and advertising.*".

Amend sec. 9, page 3, after line 19 by inserting:

"*4. A violation of subsection 1 constitutes a prohibited act under*

NRS 598A.060. The attorney general and any other person may exercise the powers conferred by that chapter to prevent, remedy or punish such a violation. The provisions of chapter 598A of NRS apply to any such violation.''.

Amendment No. 1338.

Amend sec. 6, page 2, line 26 by deleting ''*government.*'' and inserting ''*government; or*''.

Amendment No. 1339.

Amend section 1, page 1, line 5, after ''company'' by inserting: ''*in a county having a population of less than 250,000,*''.

Amendment No. 1341.

Amend the bill as a whole by renumbering sections 31 and 32 as sections 32 and 33 and adding a new section designated section 31, following section 30, to read as follows:

''Sec. 31. NRS 598A.040 is hereby amended to read as follows:

598A.040 The provisions of this chapter do not apply to:

1. Any labor, agricultural or horticultural organizations organized for the purpose of self-help and not for profit to itself nor to individual members thereof, while lawfully carrying out its legitimate objects.

2. Bona fide religious and charitable activities of any nonprofit corporation, trust or organization established exclusively for religious or charitable purposes.

3. Conduct which is expressly authorized, regulated or approved by:

(a) A statute of this state or of the United States;

(b) An ordinance of any city or county of this state [;] , *except for ordinances relating to community antenna television companies;* or

(c) An administrative agency of this state or of the United States or of a city or county of this state, having jurisdiction of the subject matter.

4. Conduct or agreements relating to rates, fares, classifications, divisions, allowances or charges (including charges between carriers and compensation paid or received for the use of facilities and equipment) authorized, regulated or approved by the public service commission of Nevada pursuant to chapter 706 of NRS.

5. Restrictive covenants:

(a) Which are part of a contract of sale for a business and which bar the seller of the business from competing with the purchaser of the business sold within a reasonable market area for a reasonable period of time; or

(b) Which are part of a commercial shopping center lease and which bar the parties from permitting or engaging in the furnishing of certain services or the sale of certain commodities within the commercial shopping center where such leased premises are located.''.

Amendment No. 1342.

Amend sec. 2, page 1, line 12, by deleting ''10,'' and inserting ''11,''.

Amend sec. 8, page 2, line 41, by deleting ''*and 10*'' and inserting ''*10, and 11*''.

Amend sec. 11, page 3, by deleting line 27 and inserting:

"Sec. 11. *In determining whether to grant a franchise the governing body shall consider the:*

1. Suitability of the applicant;

2. Financial responsibility of the applicant; and

3. Ability of the applicant to perform efficiently the service for which authority is requested.".

Amendment No. 1299.

Amend the bill as a whole by renumbering section 1 as section 2 and adding a new section designated section 1, preceding section 1, to read as follows:

"Section 1. NRS 704.855 is hereby amended to read as follows:

704.855 1. "Public utility" or "utility" includes those public utilities as defined in NRS 704.020, any oil pipeline carrier [as] described and regulated under chapter 708 of NRS, and any [CATV] *community antenna television* company as defined in NRS 711.030.

2. "Public utility" also includes any plant or equipment within this state used directly or indirectly for the generation and transmission of electrical energy, except plants or equipment used to generate electrical energy that is wholly consumed on the premises of and by the producer thereof.".

Amend section 1, page 1, line 2, by deleting "13" and inserting "10".

Amend the bill as a whole by deleting section 2 and section 3 and renumbering sections 4 through 8 as sections 3 through 7.

Amend sec. 5, page 1, line 17, by deleting "*NRS 711.090.*" and inserting: "*section 5 of this act.*".

Amend the bill as a whole by deleting section 6 and inserting:

"Sec. 5. *Except as otherwise provided in NRS 318.1194:*

1. A city council may grant a franchise to a community antenna television company for the construction, maintenance and operation of a community antenna television system which requires the use of city property or that portion of the city dedicated to public use for the maintenance of cables or wires underground, on the surface or on poles for the transmission of a television picture.

2. A county may grant a franchise to a community antenna television company for the construction, maintenance and operation of a community antenna television system which requires the use of the property of the county or any town in the county or that portion of the county or town dedicated to public use for the maintenance of cables or wires underground, on the surface or on poles for the transmission of a television picture.".

Amend the bill as a whole by adding a new section designated section 8, following section 8, to read as follows:

"Sec. 8. *The provisions of sections 9 and 10 of this act apply only in counties having a population of 250,000 or more.*".

Amend sec. 9, page 2, line 35 by deleting "*which is*".

Amend sec. 9, page 2, by deleting lines 36 and 37 and inserting: "*to provide the service which is advertised, offered or provided with the intent to:*

(a) Impair fair competition or restrain trade among companies''.

Amend sec. 9, page 2, by deleting line 39 and inserting:

''*(b) Create a monopoly.*''.

Amend sec. 9, page 3, lines 6 and 7 by deleting: ''*as a telephone service*''.

Amend the bill as a whole by deleting sections 11 through 13, renumbering sections 14 through 18 as sections 13 through 17 and inserting:

''Sec. 11. (Deleted by amendment.)

Sec. 12. (Deleted by amendment.)''.

Amend sec. 14, page 4, line 26, by deleting: ''*2 to 6, inclusive,*'' and inserting ''*3 and 4*''.

Amend sec. 18, page 5, by deleting line 38 and inserting: ''*ogy in counties having a population of 250,000 or more;*''.

Amend the bill as a whole by adding a new section, designated section 18, following section 18, to read as follows:

''Sec. 18. *The provisions of NRS 711.090 to 711.170, inclusive, do not apply to counties having a population of 250,000 or more.*''.

Amend sec. 19, page 6, by deleting lines 5 through 27 and inserting:

''711.090 In determining whether a certificate of public convenience and necessity should be issued to a [CATV] *community antenna television* company the commission shall take into consideration, among other things, the public need for the proposed service or acquisition, the suitability of the applicant, the financial responsibility of the applicant, and the ability of the applicant to perform efficiently the service for which authority is requested.''.

Amend sec. 20, page 6, by deleting line 28 and inserting:

''711.095 Before the commission issues a certificate of public convenience and necessity to any [CATV] *community antenna television* company in any county having a population of less than 100,000, where a general improvement district has been organized which exercises the powers conferred by NRS 318.1192, [it] *the commission* shall notify the board of county commissioners in that county of its readiness to issue the certificate. The certificate [shall] *must* not be issued unless it is approved by the qualified electors of the district in the manner prescribed in NRS 318.1194.''.

Amend sec. 21, page 6, by deleting line 30 and inserting:

''711.110 The commission may, after''.

Amend sec. 21, page 6, line 34, by deleting ''*local government's*''.

Amend sec. 21, page 6, by deleting line 35 and inserting: ''tory [; or] *for which it has been granted a certificate of public convenience and necessity; or*''.

Amend sec. 22, page 6, by deleting line 39 and inserting:

''711.120 The commission''.

Amend sec. 22, page 6, line 40, by deleting ''*agent*''.

Amend sec. 22, page 6, by deleting lines 44 and 45 and inserting: ''[rules and] regulations and orders of the commission.''.

Amend the bill as a whole by deleting section 23 and inserting:

''Sec. 23. NRS 711.140 is hereby amended to read as follows:

711.140 The commission shall supervise and regulate every [CATV] *community antenna television* company operating within this state and its property, easements, property rights, equipment, facilities, contracts, certificates and franchises so far as may be necessary to carry out the purposes of this chapter, and to do all things whether specifically designated in this chapter or chapter 704 of NRS or in addition thereto, which are necessary or convenient in the exercise of such power and jurisdiction.''.

Amend sec. 24, page 7, by deleting line 15 and inserting:

''2. No [CATV] *community antenna television*''.

Amend sec. 24, page 7, line 16, by deleting ''*act, no*''.

Amend sec. 24, page 7, line 17 by deleting ''*basic*''.

Amend sec. 24, page 7, line 18, by deleting the opening bracket.

Amend sec. 24, page 7, by deleting line 20 and inserting: ''a [CATV company shall] *company must* be just and reasonable.''.

Amend sec. 24, page 7, by deleting lines 21 and 22 and inserting:

''4. No [CATV] company may make any''.

Amend sec. 24, page 7, line 25, by deleting ''*basic*''.

Amend sec. 24, page 7, line 30, by deleting ''[5. Every CATV'' and inserting:

''5. Every [CATV] *community antenna television*''.

Amend sec. 24, page 7, line 31, by deleting ''rules,'' and inserting ''[rules,]''.

Amend sec. 24, page 7, line 32, by deleting the closing bracket.

Amend sec. 25, page 7, line 34, by deleting ''[commission]'' and inserting ''commission,''.

Amend sec. 25, page 7, line 35, by deleting ''*regulatory authority,*''.

Amend the bill as a whole by deleting section 26 and inserting:

''Sec. 26. NRS 711.170 is hereby amended to read as follows:

711.170 No [CATV] *community antenna television* company operating or managing a [CATV] *community antenna television* system may combine, merge or consolidate with, or acquire control of, another organization in this state without first obtaining the approval of the commission, which [shall] *may* be granted only after an investigation and finding that [such] *the* proposed combination, merger, consolidation or acquisition is in the public interest.''.

Amend sec. 27, page 9, line 31, by deleting '', ['' .

Amend sec. 27, page 9, line 33, by deleting the closing bracket and inserting: ''*or, in counties having a population of 250,000 or more companies which have been granted a franchise from the governing body of the jurisdictions in which they provide services,*''.

Amend sec. 27, page 9, line 34, by deleting the brackets.

Amend sec. 29, page 10, line 25, by deleting ''unless'' and inserting ''unless] *unless:*

1. In counties having a population of less than 250,000,''.

Amend sec. 29, page 10, line 28, by deleting:

''involved.] *unless the*'' and inserting: ''involved [.] *; or*

2. In counties having a population of more than 250,000, the''.

Amend sec. 29, page 10, by deleting lines 29 and 30 and inserting:

"*governing body of the local government which granted a franchise to the community antenna television company determines that both the company and the district may furnish service*".

Amend sec. 30, page 10, line 37, by deleting "269.125" and inserting: "269.125] *section 5 of this act*".

Amend sec. 30, page 10, line 38, by deleting "] *NRS 711.090*".

Amend sec. 30, page 10, line 42, by deleting the brackets.

Amend sec. 30, page 11, line 1, by deleting ". [".

Amend sec. 30, page 11, line 2, by deleting the closing bracket.

Amend sec. 31, page 11, line 8, by deleting ", 711.095,".

Amend sec. 31, page 11, by deleting line 9 and inserting: "and 711.100 are hereby repealed.".

Amend sec. 32, page 11, by deleting line 10 and inserting:

"Sec. 32. In counties having a population of 250,000 or more:

1. From July 1, 1983, through June 30, 1984, a commu-".

Amend sec. 32, page 11, line 11 by deleting "provide basic" and inserting "construct a community antenna television system or provide".

Amend sec. 32, page 11, line 16, by deleting "June 30, 1984," and inserting "October 1, 1983,".

Amend sec. 32, page 11, line 26, by deleting "provision of basic" and inserting: "construction of a community antenna television system or for the provision of".

Amend the bill as a whole by deleting section 33.

Assemblyman Jeffrey moved that the Assembly concur in the Senate amendments to Assembly Bill No. 412.

Motion carried.

Bill ordered enrolled.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Stewart moved that Senate Bill No. 479 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 479.

Bill read third time.

The following amendment was proposed by Assemblyman Bourne:

Amendment No. 1351.

Amend sec. 2, page 1, by deleting line 18.

Amend sec. 2, page 2, line 1, by deleting "*immediately*" and inserting:

"2. Immediately".

Amend sec. 2, page 2, by deleting lines 8 through 12.

Amend the bill as a whole by deleting section 3 and inserting:

"Sec. 3. (Deleted by amendment.)".

Assemblyman Bourne moved the adoption of the amendment.

Remarks by Assemblymen Bourne and Bremner.

Amendment lost.

Roll call on Senate Bill No. 479:

YEAS—30.

NAYS—Berkley, Beyer, Chaney, Collins, DuBois, Humke, Malone, Sader, Sedway, Swain, Thomas—11.

Absent—Perry.

Senate Bill No. 479 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assemblyman Bremner moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 6:58 p.m.

ASSEMBLY IN SESSION

At 7:03 p.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Bremner, Marvel and Dini as a first Committee on Conference to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 681.

Mr. Speaker announced that if there were no objections, the Assembly would recess until 7:30 p.m.

Assembly in recess at 7:05 p.m.

ASSEMBLY IN SESSION

At 7:52 p.m.

Mr. Speaker presiding.

Quorum present.

UNFINISHED BUSINESS

REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The second Committee on Conference concerning Assembly Bill No. 270, consisting of the undersigned members, has met, and reports that:

No decision was reached.

RANDOLPH J. TOWNSEND	BOB L. KERNS
BOB RYAN	JAMES A STONE
ROBERT E. (BOB) ROBINSON	BOB THOMAS
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Kerns moved that the Assembly adopt the report of the second Committee on Conference concerning Assembly Bill No. 270.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 22, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day receded from its action on Assembly Bill No. 681.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 227, 474.

JANICE L. THOMAS
Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 682—An Act relating to public works; directing the state board of examiners to issue state general obligation bonds for the purpose of certain capital improvements; and providing other matters properly relating thereto.

Assemblyman Bremner moved that all rules be suspended, reading so far and considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Bill No. 682.

Bill read third time.

Remarks by Assemblymen Bremner and Swain.

Roll call on Assembly Bill No. 682:

YEAS—41.

NAYS—None.

Absent—Stewart.

Assembly Bill No. 682 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 227.

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

Senate Bill No. 474.

Assemblyman Jeffrey moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 227.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 227:

YEAS—41.
NAYS—None.
Absent—Stewart.

Senate Bill No. 227 having received a constitutional majority, Mr. Speaker declared it passed.
Bill ordered transmitted to the Senate.

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

Assembly in recess at 8:21 p.m.

ASSEMBLY IN SESSION

At 8:22 p.m.
Mr. Speaker pro Tempore presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 474.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Senate Bill No. 474:

YEAS—41.
NAYS—None.
Absent—Stewart.

Senate Bill No. 474 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.
Bill ordered transmitted to the Senate.

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

Assembly in recess at 8:23 p.m.

ASSEMBLY IN SESSION

At 9:46 p.m.
Mr. Speaker presiding.
Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 22, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 682.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the second Committee on Conference concerning Assembly Bill No. 270.

JANICE L. THOMAS
Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 683—An Act relating to public works; directing the state board of examiners to issue state general obligation bonds for the purpose of providing fire protection in and about buildings of the University of Nevada System and other state buildings; and providing other matters properly relating thereto.

Assemblyman Bremner moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

The motion, having received a two-thirds majority, Mr. Speaker declared it carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 683.
Bill read third time.
Remarks by Assemblyman Bremner.
Roll call on Assembly Bill No. 683:

YEAS—41.
NAYS—None.
Absent—Stewart.

Assembly Bill No. 683 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 9:51 p.m.

ASSEMBLY IN SESSION

At 10:13 p.m.
Mr. Speaker presiding.
Quorum present.

UNFINISHED BUSINESS
REPORTS OF CONFERENCE COMMITTEES

Mr. Speaker:

The first Committee on Conference concerning Assembly Bill No. 348, consisting of the undersigned members, has met, and reports that:

No decision was reached.

NICHOLAS J. HORN	D. ROBER BREMNER
THOMAS J. HICKEY	JOSEPH E. DINI, JR.
WILLIAM H. HERNSTADT	ROBERT M. SADER
Senate Committee on Conference	*Assembly Committee on Conference*

Assemblyman Sader moved that the Assembly adopt the report of the first Committee on Conference concerning Assembly Bill No. 348.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 22, 1983

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 683.

Also, I have the honor to inform your honorable body that the Senate on this day adopted the report of the first Committee on Conference concerning Assembly Bill No. 348.

JANICE L. THOMAS
Secretary of the Senate

UNFINISHED BUSINESS
SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 253, 321, 431, 531, 534, 625; Senate Bills Nos. 48, 124, 361, 364, 370, 377, 401, 414, 417, 423, 436, 446, 452, 454, 462, 467, 473, 475, 477; Assembly Concurrent Resolutions Nos. 48, 50, 54, 55; Senate Concurrent Resolutions Nos. 49, 51, 52, 53.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Banner, the privilege of the floor of the Assembly Chamber for this day was extended to Mrs. Alice Banner.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Jeffrey, Dini and Brady as a committee to wait upon His Excellency, Richard H. Bryan, Governor of the State of Nevada, and to inform him that the Assembly is ready to adjourn *sine die*.

Mr. Speaker appointed Assemblymen Bremner, May and Nicholas as a committee to wait upon the Senate, and to inform that honorable body that the Assembly is ready to adjourn *sine die*.

A committee from the Senate, consisting of Senators Lamb, Mello and Ryan, appeared before the bar of the Assembly and announced that the Senate is ready to adjourn *sine die*.

Assemblyman Bremner reported that his committee had informed the Senate that the Assembly is ready to adjourn *sine die*.

Assemblyman Jeffrey reported that his committee had informed the Governor that the Assembly is ready to adjourn *sine die*.

Assemblyman Dini moved that the Sixty-second Session of the Assembly of the Legislature of the State of Nevada adjourn *sine die*.

Motion carried.

Assembly adjourned at 10:16 p.m.

Approved:

JOHN M. VERGIELS
Speaker of the Assembly

Attest: MOURYNE B. LANDING
Chief Clerk of the Assembly

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BILYEU, BYRON, ASSEMBLYMAN FROM ELKO-EUREKA (PART) COUNTIES, NO. 33 DISTRICT—
Bills introduced by, A.B. 5, 17; A.B. 100, 74; A.B. 109, 75; A.B. 114, 90; A.B. 121, 94; A.B. 124, 95; A.B. 141, 104; A.B. 142, 105; A.B. 153, 113; A.B. 155, 114; A.B. 162, 119; A.B. 163, 120; A.B. 164, 120; A.B. 168, 121; A.B. 189, 129; A.B. 190, 130; A.B. 192, 130; A.B. 207, 156; A.B. 257, 212; A.B. 260, 213; A.B. 271, 222; A.B. 272, 222; A.B. 273, 228; A.B. 281, 253; A.B. 284, 253; A.B. 290, 261; A.B. 301, 274; A.B. 308, 279; A.B. 319, 290; A.B. 320, 290; A.B. 324, 296; A.B. 333, 320; A.B. 334, 320; A.B. 335, 320; A.B. 345, 328; A.B. 350, 332; A.B. 393, 406; A.B. 409, 417; A.B. 423, 439; A.B. 439, 459; A.B. 446, 471; A.B. 456, 489; A.B. 457, 494; A.B. 475, 525; A.B. 492, 539; A.B. 501, 565; A.B. 508, 589; A.B. 559, 718; A.B. 570, 733; A.B. 582, 807; A.B. 584, 837; A.B. 665, 1130.
Committee appointments—
Conference re A.B. 46, 721; A.B. 48, 707; A.J.R. 11, 1088; S.B. 19, 1487; S.B. 65, 1074.
Standing—
Health and Welfare, 13.
Judiciary, 13.
Natural Resources, Environment and Agriculture, 13.
Moves—
Adopt report of conference committee re S.B. 65, 1346.
Adoption of amendment(s) to A.B. 44, 749; A.B. 48, 215; A.B. 148, 481; A.B. 167, 570; A.B. 206, 354; A.B. 207, 276; A.B. 228, 264; A.B. 303, 908; A.B. 336, 488; A.B. 352, 1083; A.B. 535, 1099; A.B. 553, 1090; A.B. 579, 1173; A.B. 597, 1079; S.B. 19, 1125; S.B. 33, 265; S.B. 93, 1215, 1388; S.B. 153, 1157; S.B. 206, 679.
Adoption of resolution, A.C.R. 30, 708.
Remarks from the floor re A.B. 411, 755; A.B. 627, 1233; A.C.R. 30, 708; A.C.R. 63, 1341; S.B. 417, 1383.
Resolutions introduced by, A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 12, 210; A.J.R. 18, 373; A.J.R. 28, 576; A.J.R. 29, 631; A.C.R. 5, 110; A.C.R. 9, 172; A.C.R. 13, 223; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 499; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 47, 1033; A.C.R. 63, 1340; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 271; A.R. 17, 1489.
Roll call vote requested on motion re A.B. 488, 889.

BOGAERT, BRUCE R., ASSEMBLYMAN FROM WASHOE COUNTY, NO. 27 DISTRICT—
Bills introduced by, A.B. 17, 21; A.B. 48, 43; A.B. 86, 67; A.B. 98, 70; A.B. 114, 90; A.B. 135, 101; A.B. 141, 104; A.B. 153, 113; A.B. 189, 129; A.B. 207, 156; A.B. 260, 213; A.B. 271, 222; A.B. 272, 222; A.B. 273, 228; A.B. 275, 228; A.B. 284, 253; A.B. 285, 253; A.B. 287, 254; A.B. 290, 261; A.B. 292, 264; A.B. 300, 269; A.B. 301, 274; A.B. 319, 290; A.B. 320, 290; A.B. 335, 320; A.B. 345, 328; A.B. 350, 332; A.B. 353, 351; A.B. 365, 358; A.B. 382, 393; A.B. 393, 406; A.B. 409, 417; A.B. 411, 427; A.B. 414, 427; A.B. 423, 439; A.B. 444, 460; A.B. 446, 471; A.B. 456, 489; A.B. 466, 505; A.B. 467, 506; A.B. 492, 539; A.B. 507, 575; A.B. 517, 606; A.B. 559, 718; A.B. 565, 723; A.B. 570, 733; A.B. 627, 942; A.B. 666, 1159.
Committee appointments—
Conference re A.B. 28, 404.
Standing—
Commerce, 13.
Government Affairs, 13.
Health and Welfare, 13.

BOGAERT, BRUCE R.—*Continued*
Moves—
Adoption of amendment(s) to A.B. 467, 1215, 1353; A.J.R. 4, 818; A.J.R. 18, 610, 1223; S.J.R. 13, 1277.
Adoption of resolution, A.C.R. 15, 249.
Nominates Mouryne B. Landing for Chief Clerk of the Assembly, 3.
Remarks from the floor re A.B. 614, 1186; A.C.R. 5, 111.
Resolutions introduced by, A.J.R. 3, 112; A.J.R. 4, 124; A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 12, 210; A.J.R. 18, 373; A.J.R. 22, 414; A.J.R. 23, 426; A.J.R. 27, 540; A.J.R. 28, 576; A.C.R. 5, 110; A.C.R. 9, 172; A.C.R. 13, 222; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 499; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 35, 828; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 271; A.R. 10, 278; A.R. 17, 1489.
Roll call vote requested on motion re A.B. 545, 1110; A.B. 662, 1227; A.B. 680, 1482; S.B. 473, 1350.

BOURNE, CHARLES G., ASSEMBLYMAN FROM WASHOE COUNTY, NO. 29 DISTRICT—
Bills introduced by, A.B. 86, 67; A.B. 100, 74; A.B. 109, 75; A.B. 114, 90; A.B. 120, 93; A.B. 121, 94; A.B. 141, 104; A.B. 153, 113; A.B. 164, 120; A.B. 167, 121; A.B. 168, 121; A.B. 207, 156; A.B. 208, 157; A.B. 209, 157; A.B. 210, 157; A.B. 212, 157; A.B. 213, 157; A.B. 224, 162; A.B. 248, 207; A.B. 260, 213; A.B. 273, 228; A.B. 284, 253; A.B. 285, 253; A.B. 287, 254; A.B. 290, 261; A.B. 292, 264; A.B. 300, 269; A.B. 301, 274; A.B. 302, 274; A.B. 307, 278; A.B. 319, 290; A.B. 320, 290; A.B. 328, 306; A.B. 329, 307; A.B. 333, 320; A.B. 339, 323; A.B. 345, 328; A.B. 350, 332; A.B. 353, 351; A.B. 382, 393; A.B. 392, 405; A.B. 393, 406; A.B. 399, 415; A.B. 409, 417; A.B. 411, 427; A.B. 414, 427; A.B. 423, 439; A.B. 431, 441; A.B. 439, 459; A.B. 446, 471; A.B. 466, 505; A.B. 482, 537; A.B. 491, 539; A.B. 495, 548; A.B. 538, 661; A.B. 539, 661; A.B. 570, 733; A.B. 586, 838; A.B. 587, 838; A.B. 588, 838; A.B. 593, 851; A.B. 617, 913; A.B. 627, 942.
Committee appointments—
Conference re A.B. 28, 404; A.B. 138, 1088; A.B. 164, 826; A.B. 270, 1526; A.B. 441, 1429; A.B. 446, 1491; A.B. 531, 1380.
Standing—
Commerce (vice chairman), 13.
Government Affairs, 13.
Legislative Functions, 13.
Moves—
Adopt report of conference committee re A.B. 164, 1088; A.B. 270, 1527; A.B. 441, 1508; A.B. 531, 1413.
Adoption of amendment(s) to A.B. 292, 758; A.B. 322, 511; A.B. 328, 512; A.B. 329, 435; A.B. 388, 931; A.B. 399, 670; A.B. 412, 1242; A.B. 416, 991; A.B. 461, 905; A.B. 615, 1080; A.B. 627, 1201; S.B. 61, 548; S.B. 306, 1202; S.B. 479, 1534; S.C.R. 45, 1427.
Adoption of resolutions, A.C.R. 26, 1249; A.C.R. 29, 690; S.C.R. 10, 1274; S.C.R. 45, 1441; S.C.R. 49, 1412.
Nominates James W. Schofield as Speake pro Tempore, 3.
Remarks from the floor re A.B. 411, 755; A.B. 614, 1186; A.B. 627, 1232, 1233; A.B. 673, 1335; A.C.R. 9, 174; A.C.R. 31, 814; S.B. 136, 1408, 1410; S.B. 479, 1475-1477.
Resolutions introduced by, A.J.R. 4, 124; A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 12, 210; A.J.R. 27, 540; A.J.R. 28, 576; A.C.R. 5, 110; A.C.R. 9, 172; A.C.R. 13, 222; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 499; A.C.R. 29, 690; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 37, 837; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 45, 936; A.C.R. 47, 1033; A.C.R. 64, 1348;

BOURNE, CHARLES G.—*Continued*
Resolutions introduced by—*Continued*
A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 271; A.R. 10, 278; A.R. 17, 1489.
Roll call vote requested on motion re S.B. 473, 1384; S.B. 479, 1506.
Withdraws motion re S.B. 417, 1369.

BRADY, WILLIAM D., ASSEMBLYMAN FROM CLARK COUNTY, NO. 5 DISTRICT—
Appeals decision of the chair re A.B. 672, 1337.
Bills introduced by, A.B. 87, 67; A.B. 106, 75; A.B. 109, 75; A.B. 114, 90; A.B. 121, 94; A.B. 124, 95; A.B. 135, 101; A.B. 141, 104; A.B. 153, 113; A.B. 155, 114; A.B. 164, 120; A.B. 167, 121; A.B. 168, 121; A.B. 189, 129; A.B. 191, 130; A.B. 207, 156; A.B. 208, 157; A.B. 209, 157; A.B. 210, 157; A.B. 211, 157; A.B. 212, 157; A.B. 215, 158; A.B. 260, 213; A.B. 271, 222; A.B. 272, 222; A.B. 273, 228; A.B. 285, 253; A.B. 287, 254; A.B. 301, 274; A.B. 319, 290; A.B. 320, 290; A.B. 324, 296; A.B. 351, 339; A.B. 364, 357; A.B. 365, 358; A.B. 411, 427; A.B. 423, 439; A.B. 446, 471; A.B. 486, 538; A.B. 492, 539; A.B. 507, 575; A.B. 508, 589; A.B. 557, 717; A.B. 559, 718; A.B. 570, 733.
Committee appointments—
Escort, Senator Laxalt, 133.
Special—
Inform Governor Assembly organized, 4.
Inform Governor Assembly ready to adjourn *sine die*, 1539.
Standing—
Legislative Functions, 13.
Ways and Means, 13.
Minority Floor Leader, designation as, 13.
Moves—
Adjournment in honor of Black History Month, 226.
Adoption of resolutions, A.C.R. 62, 1317; A.R. 4, 24.
Remarks from the floor re budget and taxation matters, 298, 301; Thunderbird pilots, 502; A.B. 449, 1108; A.B. 673, 1329, 1332; S.B. 479, 1475.
Resolutions introduced by, A.J.R. 3, 112; A.J.R. 4, 124; A.J.R. 5, 130; A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 12, 210; A.J.R. 18, 373; A.J.R. 28, 576; A.J.R. 29, 631; A.C.R. 5, 110; A.C.R. 9, 172; A.C.R. 13, 222; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 499; A.C.R. 27, 536; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 4, 17; A.R. 6, 155; A.R. 7, 181; A.R. 9, 271; A.R. 17, 1489.
Roll call vote requested on motion re A.B. 167, 493; A.B. 432, 619; A.B. 488, 889; A.B. 545, 1058; A.B. 109, 1236; S.B. 136, 1362.

BREMNER, ROGER D., ASSEMBLYMAN FROM CLARK COUNTY, NO. 3 DISTRICT—
Bills introduced by, A.B. 114, 90; A.B. 132, 100; A.B. 141, 104; A.B. 153, 113; A.B. 167, 121; A.B. 191, 130; A.B. 215, 158; A.B. 272, 222; A.B. 273, 228; A.B. 277, 235; A.B. 284, 253; A.B. 285, 253; A.B. 300, 269; A.B. 301, 274; A.B. 303, 274; A.B. 319, 290; A.B. 345, 328; A.B. 365, 358; A.B. 392, 405; A.B. 423, 439; A.B. 486, 538; A.B. 492, 539; A.B. 557, 717; A.B. 559, 718; A.B. 587, 838; A.B. 588, 838; A.B. 661, 1060.
Call of the Assembly—
Dispensed with, 1504.
Motion, 1504.
Committee appointments—
Conference re A.B. 146, 1153; A.B. 195, 1153; A.B. 348, 1526; A.B. 681, 1535; S.B. 93, 1481; S.B. 168, 1153.

BREMNER, ROGER D.—*Continued*
Committee appointments—*Continued*
Escort—
Chief Justice Manoukian, 2.
Governor Bryan, 26.
Special, inform Senate Assembly ready to adjourn *sine die*, 1539.
Standing—
Commerce, 13.
Ways and Means (chairman), 13.
Moves—
Adopt report of conference committee re A.B. 146, 1497; A.B. 195, 1497.
Adoption of amendment(s) to A.B. 44, 1133; A.B. 78, 1037; A.B. 93, 849; A.B. 140, 1230, 1315; A.B. 175, 904; A.B. 176, 926; A.B. 335, 1470; A.B. 347, 817; A.B. 348, 1464; A.B. 386, 712; A.B. 508, 1316; A.B. 534, 1230; A.B. 541, 1308; A.B. 618, 1174; A.B. 664, 1309; A.B. 667, 1356; A.B. 668, 1309; A.B. 669, 1276; S.B. 86, 1310; S.B. 93, 1109, 1388; S.B. 184, 1228; S.B. 240, 930; S.B. 251, 776; S.B. 261, 992; S.B. 479, 1474.
Adoption of resolutions, A.C.R. 10, 174; A.C.R. 36, 829.
Concur in Senate amendment(s) to A.B. 144, 726; A.B. 385, 898; A.B. 442, 1294.
Do not concur in Senate amendment(s) to A.B. 146, 898; A.B. 195, 725; A.B. 348, 1516; A.B. 557, 1396; A.B. 681, 1521.
Do not recede from action on S.B. 93, 1481; S.B. 168, 724.
Joint Session, dissolve, 192.
Rescind action on A.B. 455, 1371.
Suspend rules—
Declare emergency measure, A.B. 672, 1326; A.B. 673, 1327; A.B. 678, 1444; A.B. 681, 1498; A.B. 682, 1536; A.B. 683, 1538; S.B. 31, 95; S.B. 479, 1506.
Transmit immediately to Senate, A.C.R. 10, 174.
Remarks from the floor re A.B. 673, 1327; A.R. 7, 184; S.B. 479, 1474, 1475.
Resolutions introduced by, A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 12, 210; A.J.R. 18, 373; A.J.R. 28, 576; A.C.R. 5, 110; A.C.R. 9, 173; A.C.R. 13, 222; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 500; A.C.R. 27, 536; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 45, 936; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 272; A.R. 17, 1489.
Withdraws motion re A.B. 211, 449.

C

CHANEY, LONIE, Assemblyman from Clark County, No. 7 District—
Absences, excused, 341.
Bills introduced by, A.B. 92, 69; A.B. 93, 69; A.B. 95, 70; A.B. 96, 70; A.B. 99, 74; A.B. 114, 90; A.B. 121, 94; A.B. 135, 101; A.B. 189, 129; A.B. 207, 156; A.B. 215, 158; A.B. 234, 195; A.B. 260, 213; A.B. 277, 235; A.B. 284, 253; A.B. 300, 270; A.B. 301, 274; A.B. 320, 290; A.B. 345, 328; A.B. 409, 417; A.B. 413, 427; A.B. 414, 427; A.B. 439, 459; A.B. 446, 471; A.B. 466, 505; A.B. 467, 506; A.B. 492, 539; A.B. 508, 589; A.B. 557, 717; A.B. 559, 718; A.B. 565, 723; A.B. 570, 733; A.B. 586, 838; A.B. 587, 838; A.B. 588, 838; A.B. 610, 899.
Committee appointments—
Conference re A.B. 164, 826.
Special, invite Senate to meet in Joint Session, 463.
Standing—
Commerce, 13.
Health and Welfare (chairman), 13.
Ways and Means, 13.
Temporary Committee on Legislative Functions, 1.

CHANEY, LONIE—*Continued*
Moves—
Adoption of amendment(s) to A.B. 84, 432; A.B. 188, 1045; A.B. 575, 1022; A.B. 585, 1036; A.B. 660, 1168; S.B. 151, 737.
Adoption of resolutions, A.C.R. 13, 223; A.C.R. 42, 920.
Concur in Senate amendment(s) to A.B. 80, 456; A.B. 585, 1308; A.J.R. 1, 456.
Do not recede from action on S.B. 273, 981.
Reconsideration of vote re S.B. 42, 307.
Rescind action on A.B. 84, 429.
Return from enrollment, A.B. 84, 428.
Notice of reconsideration of vote re S.B. 42, 296.
Remarks from the floor re A.B. 265, 698; A.B. 673, 1329; A.C.R. 13, 223; A.C.R. 42, 920.
Resolutions introduced by, A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 12, 210; A.J.R. 18, 373; A.J.R. 23, 426; A.J.R. 27, 540; A.J.R. 28, 576; A.C.R. 5, 110; A.C.R. 9, 172; A.C.R. 13, 222; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 500; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 37, 837; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 47, 1033; A.C.R. 63, 1340; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 271; A.R. 17, 1489.

CHIEF CLERK OF THE ASSEMBLY—
Joint session, roll call, 26, 80, 133, 189, 463, 516.
Landing, Mouryne B., declared to be, 4.
Nomination of Mouryne B. Landing, 3.
Temporary—
Calls roll, 1.
Mrs. Mouryne B. Landing requested to serve as, 1.

COFFIN, BOB, ASSEMBLYMAN FROM CLARK COUNTY, NO. 9 DISTRICT—
Bills introduced by, A.B. 153, 113; A.B. 167, 121; A.B. 207, 156; A.B. 209, 157; A.B. 210, 157; A.B. 213, 157; A.B. 215, 158; A.B. 248, 207; A.B. 272, 222; A.B. 273, 228; A.B. 284, 253; A.B. 285, 253; A.B. 290, 261; A.B. 291, 261; A.B. 299, 269; A.B. 300, 269; A.B. 301, 274; A.B. 307, 278; A.B. 320, 290; A.B. 324, 296; A.B. 325, 296; A.B. 333, 320; A.B. 345, 328; A.B. 362, 357; A.B. 365, 358; A.B. 382, 393; A.B. 392, 405; A.B. 393, 406; A.B. 414, 427; A.B. 423, 439; A.B. 431, 441; A.B. 439, 459; A.B. 446, 471; A.B. 457, 494; A.B. 466, 505; A.B. 492, 539; A.B. 508, 589; A.B. 539, 661; A.B. 557, 717; A.B. 559, 718; A.B. 565, 723; A.B. 570, 733; A.B. 586, 838; A.B. 587, 838; A.B. 588, 838; A.B. 610, 899; A.B. 630, 943.
Committee appointments, standing—
Elections, 13.
Transportation (chairman), 13.
Ways and Means, 13.
Moves—
Adopt report of conference committee re A.B. 557, 1489.
Adoption of amendment(s) to A.B. 57, 607; A.B. 287, 454; A.B. 293, 1138; A.B. 317, 633; A.B. 362, 710; A.B. 367, 1128; A.B. 382, 1046; A.B. 410, 831; A.B. 414, 1215; A.B. 505, 873; S.B. 248, 1177; S.B. 277, 1205; S.B. 406, 1368.
Concur in Senate amendment(s) to A.B. 167, 1182; A.B. 307, 1114; A.B. 317, 961; A.B. 457, 1062.
Rescind action on S.B. 207, 1238; S.B. 276, 1213.
Return from printer, S.B. 276, 1213.
Remarks from the floor re S.C.R. 28, 574.
Resolutions introduced by, A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 11, 207; A.J.R. 12, 210; A.J.R. 27, 540; A.J.R. 28, 576; A.C.R. 5, 110; A.C.R. 9, 172; A.C.R. 13, 223; A.C.R. 14, 235; A.C.R. 15, 248;

COFFIN, BOB—*Continued*
Resolutions introduced by—*Continued*
A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 500; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 37, 837; A.C.R. 40, 885; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 45, 936; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 272; A.R. 17, 1489.
Roll call vote requested on motion re S.B. 109, 1236; S.B. 473, 1350.

COLLINS, GENE, ASSEMBLYMAN FROM CLARK COUNTY, NO. 6 DISTRICT—
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Resolutions introduced by, A.J.R. 3, 112; A.J.R. 4, 124; A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 12, 210; A.J.R. 18, 373; A.J.R. 27, 540; A.J.R. 28, 576; A.C.R. 5, 110; A.C.R. 9, 173; A.C.R. 13, 223; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 499; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 37, 837; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 45, 936; A.C.R. 47, 1033; A.C.R. 54, 1191; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 272; A.R. 17, 1489.
Roll call vote requested on motion re S.B. 479, 1478.

D

DINI, JOSEPH E., JR., ASSEMBLYMAN FROM LYON-STOREY-CHURCHILL (PART)-DOUGLAS (PART) COUNTIES, NO. 38 DISTRICT—
Appoints committees, conference re A.B. 149, 952.
Bills introduced by, A.B. 2, 12; A.B. 3, 12; A.B. 4, 12; A.B. 5, 17; A.B. 6, 18; A.B. 31, 24; A.B. 48, 43; A.B. 86, 67; A.B. 98, 70; A.B. 114, 90; A.B. 115, 90; A.B. 121, 94; A.B. 153, 113; A.B. 155, 114; A.B. 189, 129; A.B. 191, 130; A.B. 192, 130; A.B. 207, 156; A.B. 208, 157; A.B. 210, 157; A.B. 213, 157; A.B. 215, 158; A.B. 216, 158; A.B. 217, 158; A.B. 218, 158; A.B. 222, 159;

DINI, JOSEPH E., JR.—*Continued*
Bills introduced by—*Continued*
A.B. 223, 159; A.B. 234, 195; A.B. 248, 207; A.B. 260, 213; A.B. 272, 222; A.B. 273, 228; A.B. 277, 235; A.B. 284, 253; A.B. 285, 253; A.B. 291, 261; A.B. 300, 269; A.B. 307, 278; A.B. 308, 279; A.B. 320, 290; A.B. 330, 309; A.B. 335, 320; A.B. 345, 328; A.B. 351, 339; A.B. 364, 357; A.B. 365, 358; A.B. 380, 393; A.B. 382, 393; A.B. 392, 405; A.B. 393, 406; A.B. 408, 417; A.B. 409, 417; A.B. 411, 427; A.B. 413, 427; A.B. 414, 427; A.B. 423, 439; A.B. 446, 471; A.B. 447, 472; A.B. 448, 472; A.B. 457, 494; A.B. 468, 506; A.B. 475, 525; A.B. 501, 565; A.B. 508, 589; A.B. 534, 660; A.B. 539, 661; A.B. 556, 709; A.B. 557, 717; A.B. 559, 718; A.B. 570, 733; A.B. 578, 766; A.B. 587, 838; A.B. 588, 838; A.B. 665, 1130.
Committee appointments—
Conference re A.B. 28, 498; A.B. 48, 765; A.B. 146, 918; A.B. 348, 1526; A.B. 446, 1491; A.B. 553, 1358; A.B. 597, 1380; A.B. 681, 1535; A.J.R. 11, 1238; S.B. 168, 1153.
Special—
Inform Governor Assembly organized, 4.
Inform Governor Assembly ready to adjourn *sine die*, 1539.
Standing—
Government Affairs (chairman), 13.
Natural Resources, Environment and Agriculture, 13.
Ways and Means, 13.
Moves—
Adjournment, *sine die*, 1540.
Adopt report of conference committee re A.B. 28, 986; A.B. 146, 1152; A.B. 446, 1501; A.B. 553, 1429; A.B. 597, 1435.
Adoption of amendment(s) to A.B. 28, 200, 1053; A.B. 93, 870; A.B. 106, 480; A.B. 116, 829; A.B. 139, 480; A.B. 151, 858; A.B. 218, 355, 1445; A.B. 221, 344; A.B. 230, 506; A.B. 250, 336; A.B. 258, 345, 388; A.B. 280, 461; A.B. 282, 400; A.B. 283, 507, 733; A.B. 311, 462; A.B. 321, 782, 833; A.B. 326, 663; A.B. 330, 400; A.B. 336, 569; A.B. 345, 862; A.B. 349, 544; A.B. 366, 928; A.B. 368, 512; A.B. 370, 577; A.B. 376, 670; A.B. 379, 623; A.B. 385, 545; A.B. 400, 757; A.B. 402, 671; A.B. 404, 1132; A.B. 418, 1133, 1320; A.B. 468, 697; A.B. 511, 908; A.B. 512, 860; A.B. 522, 745; A.B. 531, 909; A.B. 544, 1065; A.B. 549, 1036; A.B. 596, 974; A.B. 646, 1165; A.B. 653, 1174; A.J.R. 16, 494; A.C.R. 37, 1101; S.B. 17, 1023; S.B. 38, 401; S.B. 48, 1176; S.B. 93, 422; S.B. 104, 861; S.B. 168, 546; S.B. 177, 867, 1029; S.B. 232, 869; S.B. 278, 1117; S.B. 298, 1080; S.B. 370, 1349; S.B. 377, 1222, 1287; S.B. 423, 1321; S.B. 429, 1187; S.B. 444, 1385; S.B. 456, 1419; S.B. 479, 1506.
Adoption of resolutions, A.C.R. 1, 73; A.C.R. 2, 74; A.C.R. 6, 142; A.C.R. 48, 1060; S.C.R. 1, 11; S.C.R. 7, 220; S.C.R. 18, 331; S.C.R. 19, 367.
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Do not concur in Senate amendment(s) to A.B. 28, 369; A.B. 401, 1074; A.B. 446, 1482; A.B. 531, 1347.
Do not recede from action on S.B. 278, 1172.
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Previous question re A.B. 213, 449.
Rescind action on A.B. 28, 1043; A.B. 218, 1444; A.B. 320, 1124; A.B. 404, 1124; A.B. 418, 1124, 1319.

DINI, JOSEPH E., JR.—*Continued*
Moves—*Continued*
Return from enrollment, A.B. 28, 1043; A.B. 218, 1444; A.B. 320, 1124; A.B. 404, 1124; A.B. 418, 1124, 1319.
Suspend rules, declare emergency measure, A.B. 3, 12; A.B. 4, 12; S.B. 208, 287; S.B. 289, 702.
Nominates John M. Vergiels for Speaker, 2.
Presides over Assembly, 940, 950.
Remarks from the floor re letter regarding S.C.R. 7, 220; Virginia City basketball team, 281; A.B. 449, 1107; A.B. 627, 1233; A.B. 673, 1330; A.C.R. 6, 143; A.R. 7, 184; S.C.R. 19, 367.
Resolutions introduced by, A.J.R. 3, 112; A.J.R. 5, 130; A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 12, 210; A.J.R. 18, 373; A.J.R. 21, 414; A.J.R. 22, 414; A.J.R. 24, 459; A.J.R. 27, 540; A.J.R. 28, 576; A.J.R. 29, 631; A.C.R. 5, 110; A.C.R. 6, 142; A.C.R. 9, 172; A.C.R. 13, 223; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 500; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 37, 837; A.C.R. 41, 896; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 45, 936; A.C.R. 52, 1187; A.C.R. 57, 1225; A.C.R. 59, 1303; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 271; A.R. 17, 1489.
Roll call vote requested on motion re A.B. 488, 978; S.B. 479, 1506.

DIVISION OF THE HOUSE—
On motion re A.B. 211, 449; A.B. 350, 920.

DUBOIS, JOHN, ASSEMBLYMAN FROM CLARK COUNTY, NO. 2 DISTRICT—
Bills introduced by, A.B. 17, 21; A.B. 109, 75; A.B. 114, 90; A.B. 121, 94; A.B. 124, 95; A.B. 133, 100; A.B. 142, 105; A.B. 153, 113; A.B. 164, 120; A.B. 167, 121; A.B. 189, 129; A.B. 190, 130; A.B. 207, 156; A.B. 260, 213; A.B. 272, 222; A.B. 273, 228; A.B. 284, 253; A.B. 290, 261; A.B. 299, 269; A.B. 300, 270; A.B. 307, 278; A.B. 319, 290; A.B. 320, 290; A.B. 324, 296; A.B. 333, 320; A.B. 334, 320; A.B. 345, 328; A.B. 351, 339; A.B. 355, 351; A.B. 365, 358; A.B. 409, 417; A.B. 411, 427; A.B. 423, 439; A.B. 439, 459; A.B. 444, 460; A.B. 446, 471; A.B. 456, 489; A.B. 466, 505; A.B. 486, 538; A.B. 508, 589; A.B. 559, 718; A.B. 570, 733; A.B. 610, 899.
Committee appointments—
Conference re A.B. 195, 765; S.B. 168, 724.
Standing—
Commerce, 13.
Legislative Functions (vice chairman), 13.
Ways and Means, 13.
Temporary Committee on Legislative Functions, 1.
Moves, adoption of resolution, A.R. 1, 10.
Remarks from the floor re A.B. 673, 1328; S.B. 479, 1474, 1477.
Resolutions introduced by, A.J.R. 3, 112; A.J.R. 5, 130; A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 12, 210; A.J.R. 18, 373; A.J.R. 28, 576; A.C.R. 5, 110; A.C.R. 9, 172; A.C.R. 13, 222; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 500; A.C.R. 27, 536; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 47, 1033; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 271; A.R. 17, 1489; A.R. 18, 1510.
Roll call vote requested on motion re S.B. 136, 1362.

E

ECONOMIC DEVELOPMENT, TOURISM AND MINING, COMMITTEE ON—
Bills introduced by, A.B. 131, 98; A.B. 391, 405; A.B. 566, 724; A.B. 635, 971; A.B. 663, 1112.
Members, appointment, 13.
Resolutions introduced by, A.J.R. 25, 479; A.C.R. 4, 106; A.C.R. 12, 210; A.C.R. 60, 1313.

EDUCATION, COMMITTEE ON—
Bills introduced by, A.B. 169, 126; A.B. 170, 126; A.B. 171, 126; A.B. 172, 126; A.B. 173, 126; A.B. 174, 126; A.B. 175, 127; A.B. 176, 127; A.B. 177, 127; A.B. 178, 127; A.B. 357, 356; A.B. 496, 551; A.B. 497, 551.
Members, appointment, 13.

ELECTIONS, COMMITTEE ON—
Bills introduced by, A.B. 297, 267; A.B. 298, 267; A.B. 485, 538; A.B. 510, 592; A.B. 523, 618; A.B. 591, 851; A.B. 619, 936; A.B. 622, 937; A.B. 652, 998.
Members, appointment, 13.
Resolution introduced by, A.J.R. 32, 931.

EMERGENCY MEASURES—
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F

FAY, ROBERT W., ASSEMBLYMAN FROM CLARK COUNTY, NO. 18 DISTRICT—
Bills introduced by, A.B. 109, 75; A.B. 116, 90; A.B. 124, 95; A.B. 141, 104; A.B. 142, 105; A.B. 153, 113; A.B. 189, 129; A.B. 207, 156; A.B. 224, 162; A.B. 226, 175; A.B. 257, 212; A.B. 260, 213; A.B. 272, 222; A.B. 275, 228; A.B. 273, 228; A.B. 284, 253; A.B. 285, 253; A.B. 287, 254; A.B. 290, 261; A.B. 291, 261; A.B. 300, 269; A.B. 301, 274; A.B. 307, 278; A.B. 320, 290; A.B. 324, 296; A.B. 333, 320; A.B. 345, 328; A.B. 353, 351; A.B. 364, 357; A.B. 365, 358; A.B. 384, 396; A.B. 409, 417; A.B. 411, 427; A.B. 413, 427; A.B. 414, 427; A.B. 423, 439; A.B. 439, 459; A.B. 446, 471; A.B. 466, 505; A.B. 492, 539; A.B. 508, 589; A.B. 521, 617; A.B. 539, 661; A.B. 557, 717; A.B. 559, 718; A.B. 565, 723; A.B. 570, 733; A.B. 582, 807; A.B. 586, 838; A.B. 587, 838; A.B. 588, 838; A.B. 617, 913; A.B. 630, 943; A.B. 634, 970; A.B. 679, 1459.

FAY, ROBERT W.—*Continued*
Committee appointments—
Conference re A.B. 129, 1307; A.B. 426, 1511.
Escort, Chief Justice Manoukian, 516.
Special, invite Senate to meet in Joint Session, 25.
Standing—
Judiciary, 13.
Labor and Management, 13.
Transportation, 13.
Moves—
Adoption of amendment(s) to A.B. 254, 447; S.B. 276, 1191, 1221.
Adoption of resolution, A.C.R. 44, 935.
Remarks from the floor re A.B. 673, 1333; A.C.R. 44, 935; A.R. 7, 183; S.B. 479, 1475.
Resolutions introduced by, A.J.R. 3, 112; A.J.R. 4, 124; A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 12, 210; A.J.R. 18, 373; A.J.R. 23, 426; A.J.R. 27, 540; A.J.R. 28, 576; A.C.R. 5, 110; A.C.R. 9, 173; A.C.R. 13, 222; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 499; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 37, 837; A.C.R. 34, 827; A.C.R. 40, 885; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 45, 936; A.C.R. 47, 1033; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 271; A.R. 17, 1489.
Roll call vote requested on motion re A.B. 167, 1182; A.B. 662, 1227; A.J.R. 27, 944.

FRANCIS, STEVEN C., ASSEMBLYMAN FROM CLARK COUNTY, NO. 41 DISTRICT—
Bills introduced by, A.B. 109, 75; A.B. 135, 101; A.B. 141, 104; A.B. 153, 113; A.B. 155, 114; A.B. 164, 120; A.B. 167, 121; A.B. 189, 129; A.B. 191, 130; A.B. 207, 156; A.B. 260, 213; A.B. 272, 222; A.B. 284, 253; A.B. 292, 264; A.B. 299, 269; A.B. 301, 274; A.B. 307, 278; A.B. 320, 290; A.B. 333, 320; A.B. 345, 328; A.B. 365, 358; A.B. 384, 396; A.B. 409, 417; A.B. 411, 427; A.B. 423, 439; A.B. 439, 459; A.B. 441, 459; A.B. 446, 471; A.B. 466, 505; A.B. 491, 539; A.B. 492, 539; A.B. 508, 589; A.B. 557, 717; A.B. 559, 718; A.B. 570, 733; A.B. 581, 767.
Comittee appointments—
Conference re A.B. 129, 1307; S.B. 136, 1472.
Escort, President pro Tempore of Senate, 25.
Standing—
Labor and Management, 13.
Legislative Functions, 13.
Taxation, 13.
Moves—
Adoption of amendment(s) to A.B. 155, 312; A.B. 384, 553; A.B. 441, 862; S.B. 136, 1363, 1366.
Do not concur in Senate amendment(s) to A.B. 129, 1119
Rescind action on A.B. 129, 1119.
Suspend rules, declare emergency measure, A.J.R. 7, 153.
Remarks from the floor re A.B. 411, 755; S.B. 136, 1361, 1362, 1363, 1366, 1367, 1402, 1406, 1409.
Resolutions introduced by, A.J.R. 3, 112; A.J.R. 4, 124; A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 11, 207; A.J.R. 12, 210; A.J.R. 18, 373; A.J.R. 28, 576; A.C.R. 5, 110; A.C.R. 9, 173; A.C.R. 13, 222; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 499; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 47, 1033; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 271; A.R. 17, 1489.
Roll call vote requested on motion re A.B. 545, 1048, 1058; S.B. 136, 1362, 1367.

G

GETTO, VIRGIL M., ASSEMBLYMAN FROM WHITE PINE-CHURCHILL (PART)-EUREKA (PART)-LANDER (PART) COUNTIES, NO. 35 DISTRICT—

Bills introduced by, A.B. 1, 11; A.B. 5, 17; A.B. 48, 43; A.B. 54, 44; A.B. 55, 44; A.B. 56, 45; A.B. 57, 45; A.B. 61, 57; A.B. 81, 63; A.B. 82, 64; A.B. 83, 64; A.B. 84, 64; A.B. 86, 67; A.B. 98, 70; A.B. 114, 90; A.B. 153, 113; A.B. 155, 114; A.B. 163, 120; A.B. 164, 120; A.B. 191, 130; A.B. 192, 130; A.B. 207, 156; A.B. 215, 158; A.B. 216, 158; A.B. 218, 158; A.B. 222, 159; A.B. 223, 159; A.B. 234, 195; A.B. 257, 212; A.B. 272, 222; A.B. 273, 228; A.B. 275, 228; A.B. 277, 235; A.B. 281, 253; A.B. 284, 253; A.B. 291, 261; A.B. 292, 264; A.B. 301, 274; A.B. 308, 279; A.B. 319, 290; A.B. 320, 290; A.B. 333, 320; A.B. 335, 320; A.B. 345, 328; A.B. 351, 339; A.B. 353, 351; A.B. 393, 406; A.B. 408, 417; A.B. 409, 417; A.B. 411, 427; A.B. 414, 427; A.B. 421, 433; A.B. 423, 439; A.B. 439, 459; A.B. 446, 471; A.B. 447, 472; A.B. 448, 472; A.B. 457, 494; A.B. 475, 525; A.B. 492, 539; A.B. 501, 565; A.B. 508, 589; A.B. 514, 599; A.B. 565, 723; A.B. 570, 733; A.B. 584, 837; A.B. 608, 892; A.B. 665, 1130.

Committee appointments—

Conference re A.B. 48, 765; A.B. 391, 1212.

Escort—

Representative Vucanovich, 189.

Secretary of State Swackhamer, 3.

Standing—

Economic Development, Tourism and Mining, 13.

Taxation, 13.

Transportation, 13.

Moves—

Adoption of amendment(s) to A.B. 167, 491, 580; A.B. 345, 1030; A.B. 475, 1139; S.B. 433, 1220.

Adoption of resolutions, A.C.R. 14, 235; A.C.R. 63, 1340; S.C.R. 16, 305.

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Resolutions introduced by—*Continued*
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MALONE, MIKE, ASSEMBLYMAN FROM CLARK COUNTY, NO. 4 DISTRICT—
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Remarks from the floor re Thunderbird pilots, 503.
Resolutions introduced by, A.J.R. 3, 112; A.J.R. 4, 124; A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 11, 207; A.J.R. 12, 210; A.J.R. 18, 373; A.J.R. 27, 540; A.J.R. 28, 576; A.C.R. 5, 110; A.C.R. 9, 173; A.C.R. 13, 222; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 499; A.C.R. 27, 536; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 271; A.R. 17, 1489.
Roll call vote requested on motion re A.B. 167, 490, 571; A.B. 488, 889; A.B. 558, 717; A.B. 662, 1227; A.B. 680, 1482.

MARVEL, JOHN W., ASSEMBLYMAN FROM HUMBOLDT-PERSHING-LANDER (PART)-WASHOE (PART) COUNTIES, NO. 34 DISTRICT—
Absences, excused, 151, 805.
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Resolutions introduced by, A.J.R. 6, 146; A.J.R. 12, 210; A.J.R. 18, 373; A.J.R. 22, 414; A.J.R. 23, 426; A.J.R. 28, 576; A.J.R. 29, 631; A.C.R. 5, 110; A.C.R. 6, 142; A.C.R. 9, 173; A.C.R. 13, 222; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 500; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 37, 837; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 45, 936; A.C.R. 51, 1130; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 272; A.R. 17, 1489.

MAY, PAUL W., JR., ASSEMBLYMAN FROM CLARK COUNTY, NO. 19 DISTRICT—
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Inform Senate Assembly ready to adjourn *sine die*, 1539.
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Resolutions introduced by, A.J.R. 3, 112; A.J.R. 4, 124; A.J.R. 5, 130; A.J.R. 6, 146; A.J.R. 7, 153; A.J.R. 11, 207; A.J.R. 12, 210; A.J.R. 18, 373; A.J.R. 27, 540; A.J.R. 28, 576; A.C.R. 5, 110; A.C.R. 9, 173; A.C.R. 13, 222; A.C.R. 14, 235; A.C.R. 15, 248; A.C.R. 19, 373; A.C.R. 20, 374; A.C.R. 22, 450; A.C.R. 25, 500; A.C.R. 27, 536; A.C.R. 30, 707; A.C.R. 33, 774; A.C.R. 34, 827; A.C.R. 37, 837; A.C.R. 38, 837; A.C.R. 42, 919; A.C.R. 44, 935; A.C.R. 45, 936; A.C.R. 47, 1033; A.C.R. 51, 1130; A.C.R. 58, 1248; A.C.R. 64, 1348; A.C.R. 65, 1423; A.C.R. 66, 1459; A.R. 6, 155; A.R. 7, 181; A.R. 9, 271; A.R. 17, 1489.
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